

**Stocco, Corinne (EC)**

---

**From:** Dickson, Alison (EC)  
**Sent:** October 26, 2016 3:17 PM  
**To:**  
**Cc:** Desforges, Lucie (EC); Stocco, Corinne (EC); Chakraborty, Shampa (EC)  
**Subject:** Follow-up information with regard to Grassy Narrows

Hello

During the September 20<sup>th</sup> stakeholder teleconference on the Minamata Convention, you expressed interest in knowing more information relating to Grassy Narrows. We would like to refer you to several contacts from the Ontario Ministry of Environment, Environmental Monitoring and Reporting, who may be able to answer your questions:

- Chris Charron at [Chris.Charron@ontario.ca](mailto:Chris.Charron@ontario.ca)
- Rachel Fletcher at [Rachel.Fletcher@ontario.ca](mailto:Rachel.Fletcher@ontario.ca)

Regards,  
Alison

**Alison Dickson, M.Eng.**  
Manager, Metals and Metalloids  
Chemicals Management Division  
Industrial Sectors, Chemicals and Waste Directorate  
Environment and Climate Change Canada  
351 St. Joseph Blvd  
Gatineau QC K1A 0H3  
[alison.dickson@canada.ca](mailto:alison.dickson@canada.ca) \*\*NEW\*\*  
Telephone 819-938-4304

**Alison Dickson, M.Ing.**  
Gestionnaire, Métaux et métalloïdes  
Division de la gestion des substances chimiques  
Direction des secteurs industriels, substances chimiques et déchets  
Environnement et changement climatique Canada  
351 Blvd St Joseph  
Gatineau QC K1A 0H3  
[alison.dickson@canada.ca](mailto:alison.dickson@canada.ca) \*\*NOUVEAU\*\*  
Téléphone 819-938-4304

**RDG BIWEEKLY REPORT – RAPPORT BIMENSUEL DU DGR**  
**Ontario Region (February 6, 2017 – February 17, 2017)****A. Key Files / Dossiers clés****1. Randle Reef Contaminated Sediment Remediation Project**

Contact: Jon Gee ([jon.gee@canada.ca](mailto:jon.gee@canada.ca))

Preparations to tender the Stage 2 construction contract are continuing. Tendering is anticipated to occur during the week of March 6-10 2017, with contract award expected in May or June. Stage 2 involves dredging the surrounding contaminated sediments and placing them in the completed ECF in 2018 and 2019 at an estimated cost of approximately \$20 million. Assuming a successful tendering process, in-water work will commence in April 2018.

Communications Branch has been engaged to identify communication opportunities for the Minister at tender release, contract award, and start of dredging milestones.

**B. Meetings, Conferences, and Events / Réunions, Conférences et événements****Indigenous awareness training**

On February 8 and 9 all staff of the Regional Director General's Office participated in Indigenous awareness training provided by the Native Canadian Centre of Toronto. The training is part of the broader strategies to enhance Indigenous engagement in ECCC programs and initiatives.

**C. Regional News / Nouvelles régional****Grassy Narrows Clean up**

On Friday February 10, 2017, Premier Kathleen Wynne, along with Ontario's Minister of the Environment and Climate Change Glen Murray, met with Grassy Narrows Chief Simon Fobister and David Suzuki. Minister Zimmer, Minister of Indigenous Relations and Reconciliation, and Minister Murray have released the following joint statement:

"Mercury contamination has had a profound impact on the people of Grassy Narrows First Nation and Wabaseemoong (Whitedog) Independent Nations, and has to be properly addressed. On behalf of the Province of Ontario, we are completely committed to working with all partners to identify all potentially contaminated sites, and to creating and implementing a comprehensive remediation action plan for the English Wabigoon River. We are addressing mercury contamination in the river by collaborating with the First Nations and other partners on solutions based on the best available science and research. We have also been actively engaging the Federal Government and look forward to their contributions and assistance...New information regarding potential mercury contamination at the Domtar Industrial Site in Dryden has also come forward in the last few weeks. We are now conducting a full and rigorous mercury contamination assessment on the entire mill site, working closely with First Nations and Domtar."

INAC is leading this file on behalf of the Government of Canada. We continue to maintain contact with INAC in relation to ECCC participation in the file. In September 2016 in response to a specific request from the Ontario Ministry of Environment and Climate Change Canada, we agreed to provide technical expertise to review sediment sampling designs, results and reports.

**RDG BIWEEKLY REPORT – RAPPORT BIMENSUEL DU DGR**  
**Ontario Region (February 6, 2017 – February 17, 2017)**

**D. Looking Ahead / À venir**

Nil

**Response to 202567: MP Request: Questions Regarding mercury contamination in Grassy Narrows**

- Contamination of the English-Wabigoon River system resulted from discharges from a chlor-alkali facility owned by Dryden Chemicals Limited. Responsibility for addressing the contamination in the English-Wabigoon River rests with the Province of Ontario.
- Health Canada (HC) and Indigenous and Northern Affairs Canada (INAC) are currently playing supporting roles in the talks between the Province of Ontario and Grassy Narrows First Nation (GNFN) aimed at finding solutions to the issues caused by mercury contamination in the English-Wabigoon River System. Ontario and GNFN initiated these talks in 2013 and HC and INAC began participating in them in 2015.
- As the zone of contamination does not include federal lands the Federal Contaminated Site Action Plan does not apply in this situation.
- Ontario's Ministry of Aboriginal Affairs (MAA) and Ministry of the Environment and Climate Change (MOECC) have taken the lead on the discussions related to the environmental remediation of the mercury contamination. Ontario's Minister of the Environment and Climate Change announced on June 14 that the Province is going to fund a field study to further investigate the contaminated sediment in the English-Wabigoon River System. Please contact MAA or MOECC for more information.
- Environment and Climate Change Canada (ECCC) fully understands the importance of working to address the legacy of mercury contamination in the English-Wabigoon River System and is willing to provide technical support to INAC if a request is made.

COMPARISON  
Grassy Narrows’s Mercury Demands

AFN AGA 2016 Resolution (TB CIDMS 746844)	1983 “Justice for Mercury Survivors in Grassy Narrows” Flyer (TB CIDMS 590885)	Comments
Clean the English-Wabigoon River without delay to such a point that the fish are safe to eat for the people of Grassy Narrows.	<ul style="list-style-type: none"><li>• Clean and restore the English-Wabigoon river system.</li><li>• Ensure that Grassy Narrows people are able to meaningfully exercise our right to fish on our territory.</li></ul>	The most recent demand is very specific re: the level of remediation sought.
Establish an endowment fund to support all future studies on the river and the implementation of the clean-up.	<ul style="list-style-type: none"><li>• No directly comparable request</li></ul>	
Fund permanent monitoring activities through a Grassy Narrows-run environmental health centre, which includes training for youth and revival of tradition (sic.) harvesting.	<ul style="list-style-type: none"><li>• Fund a permanent Grassy Narrows run environmental health monitoring centre in Grassy Narrows.</li><li>• Fund the Grassy Narrows Traditional Skills Training Program to enable our people to rebuild the cultural skills eroded by the mercury, and to access the lakes and rivers that are less impacted by the mercury.</li></ul>	Ontario currently funds an environmental health co-ordinator for Grassy Narrows, who is co-ordinating a population health survey in the community (funded by Ontario & Health Canada), as well as teams of people collecting fish for contaminant sampling (funded by Ontario). The FN has provided no information/details about what services/programs could be offered in such an “environmental health centre”.
Build a mercury treatment and therapy centre in Grassy Narrows to provide top-quality health care for mercury survivors of all ages.	<ul style="list-style-type: none"><li>• Establish a mercury treatment centre in Kenora.</li><li>• Pay all expenses for Grassy Narrows people travelling to medical appointments.</li></ul>	The latest demand is more specific than the earlier one, and directs a facility to be built on reserve. No discussions at the Mercury Working Group table indicate any first nation contact with Wabaseemoong, who also has residents being compensated via the Mercury

		Disability Fund. Also, the most recent language used at the Mercury Working Group table is "Mercury Health Treatment Centre," which includes an assisted-living in-patient component for people who can no longer live at home. Health Canada, INAC and Ontario are working out what they need from the First Nation to figure out what services would be offered, and how to fund planning of such a facility.
Ensure all people impacted by mercury, directly or indirectly, are compensated and that the compensation is sufficient to meet their needs.	<ul style="list-style-type: none"> <li>• Compensate all people diagnosed by the Japanese doctors, and retroactively index the compensation to inflation.</li> <li>• Bring diagnostic procedures and compensation rates into line with Japanese standards.</li> <li>• Acknowledge Minimata Disease in Grassy Narrows, apologize and accept responsibility to resolve the damage done and fix the damages.</li> </ul>	The mandate & operation of the Mercury Disability Board is under review at the request of Ontario's Minister of Indigenous Relations & Reconciliation. Some band members quoted in media ( <i>Globe &amp; Mail</i> , 2014) have said, "Everyone should have gotten automatic compensation forever," while Ontario, which funds the envelope from which individual compensation is paid, may prefer community-based compensation over payments to individuals. No details re: what "sufficient" or "indirect impact" have been brought up by the FN at the Mercury Working Group table.
Institute mechanisms to stop industry from polluting the water and air.	<ul style="list-style-type: none"> <li>• Stop the mills from polluting the water and air.</li> </ul>	The Government of Ontario is responsible for regulating industrial emissions off reserve.
Recommend the rescinding of the Whiskeyjack Forest Management Plan 2012-2022 within Grassy Narrows Territory, which threatens to release more mercury into local waterways.	<ul style="list-style-type: none"> <li>• Use precautionary principle to ensure that logging/clear-cuts does not add to the mercury burden on Grassy Narrows territory.</li> <li>• Restore Grassy Narrows control over Grassy Narrows land.</li> <li>• End destructive industrial logging/clear-cuts on Grassy Narrows land.</li> </ul>	Forest management has been the focus of both protest activity and litigation by Grassy Narrows. Most recently, the FN has taken Ontario to court to overturn the Whiskeyjack Forest plan as a way to prevent more mercury from entering area waterways.

**Page 7**

**is withheld pursuant to sections  
est retenue en vertu des articles**

**14, 19(1), 20(1)(d), 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Page 8**

**is withheld pursuant to sections  
est retenue en vertu des articles**

**14, 20(1)(d), 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**



**INFORMATION NOTE:**  
**Wabigoon River Fish Sampling**  
**DATE: November 8, 2016**

---

**ISSUE**

- Staff from the Environmental Monitoring and Reporting Branch (EMRB) collected fish samples along the Wabigoon River in October, 2016. Samples are being tested for contaminants, in support of work being done for Asubpeeschoseewagong Netum Anishinabek community (ANA, also known as Grassy Narrows First Nation) to assess the current state of mercury in the English-Wabigoon River system.

**KEY FACTS**

- All results to date are “interim” and subject to change following QA/QC of the data.
- Mercury values for large (sport) fish from both Wabigoon River sampling locations ranged from 0.15 to 2.7 µg/g.
- With regard to fish consumption advisories issued by MOECC, the limits for “Do not eat” are 0.5 µg/g for the sensitive population (women of child-bearing age and children under 15), and 1.8 µg/g and general populations.
  - Preliminary results for mercury tests suggest that all fish from both locations will be restricted (4 meals/month and below).
- For juvenile forage fish (i.e.: “young-of-year” fish), all samples from all locations, except for one reference sample from Wabigoon Lake (upstream of the historical contamination from the Dryden mill), exceed the CCME (methyl)mercury tissue guideline for the protection of fish-eating wildlife of 0.033 µg/g.
  - The highest levels were observed at locations downstream of Wainwright Dam.

**KEY MESSAGES**

- Consistent with the recommendations of the report commissioned by Grassy Narrows, Ontario is working with Grassy Narrows First Nation to collect the necessary fish data required to help assess the present-day state of mercury in the English-Wabigoon River system. This information is needed to support discussions on appropriate approaches for remediation.
- Members from the Grassy Narrows community joined MOECC staff to help with the sampling of both large (sport) fish and juvenile forage fish.

## CURRENT STATUS

- Preliminary results for mercury tests from the large (sport) fish and juvenile fish have been received.
- Data for dioxin, metals, and PCBs analyses are still outstanding and expected to be completed by next week

## BACKGROUND

### EMRB Wabigoon-English River Fish Sampling, October 2016

- MOECC staff from EMRB sampled a stretch of the Wabigoon-English River between October 17-21, 2016 for large (sport) fish and juvenile fish.
- There was mixed success in the sampling. Staff were able to get a good representation of large (sport) fish (both size range and species variety) from the Wabigoon River. However, staff were unable to get as many juvenile forage fish or all of the species they would have liked. Staff were unable to get a significant quantity of fish from Clay Lake.
  - The weather is too cold now to go out and sample again, as the fish have moved to deeper reaches. EMRB plans to go back late August/early Sept 2017, when the young-of-year fish have grown big enough.
  - Testing parameters include mercury, lipids, organochlorines, PCB, metals, dioxin and dioxin-like PCBs
- See Appendix A for a map of the locations sampled, and mercury levels found.

### Stakeholder Considerations

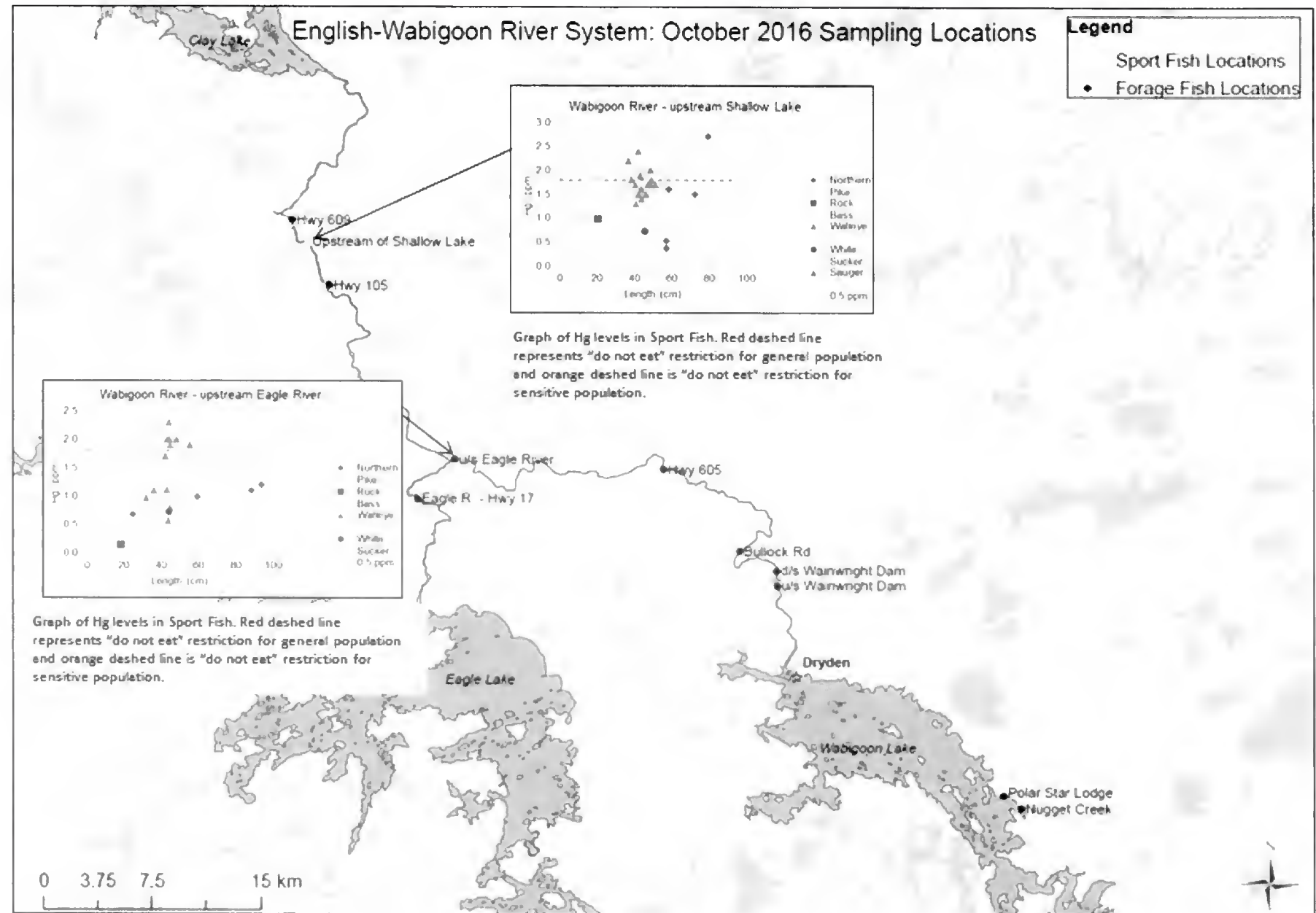
- On October 18, an ANA Elder and his nephew met with the staff to help sample for fish. They used their own boat. The Elder and his nephew left on Thursday, October 20. They indicated that they had enjoyed the time out sampling with MOECC. An additional two ANA members joined to help with sampling on October 20 and 21 and also used their own boat.
- Relations between MOECC and the community were excellent during this sampling exercise.
- EMRB will be sharing the data with the community, and hopes to be able to talk to the results (to date) in person at the next Mercury Working Group meeting (including ANA) on November 22nd.
  - As data for the different parameters being analysed take different amounts of time to be prepared and analysed, the community has asked that all the data be compiled into one data set before it is sent to them.
- Grassy Narrows has asked that all the data be presented to the whole community. Plain language deck is being prepared and this will be discussed at

the MWG meeting on November 22<sup>nd</sup> to ensure that it is in a format culturally appropriate and easy for the community to understand.

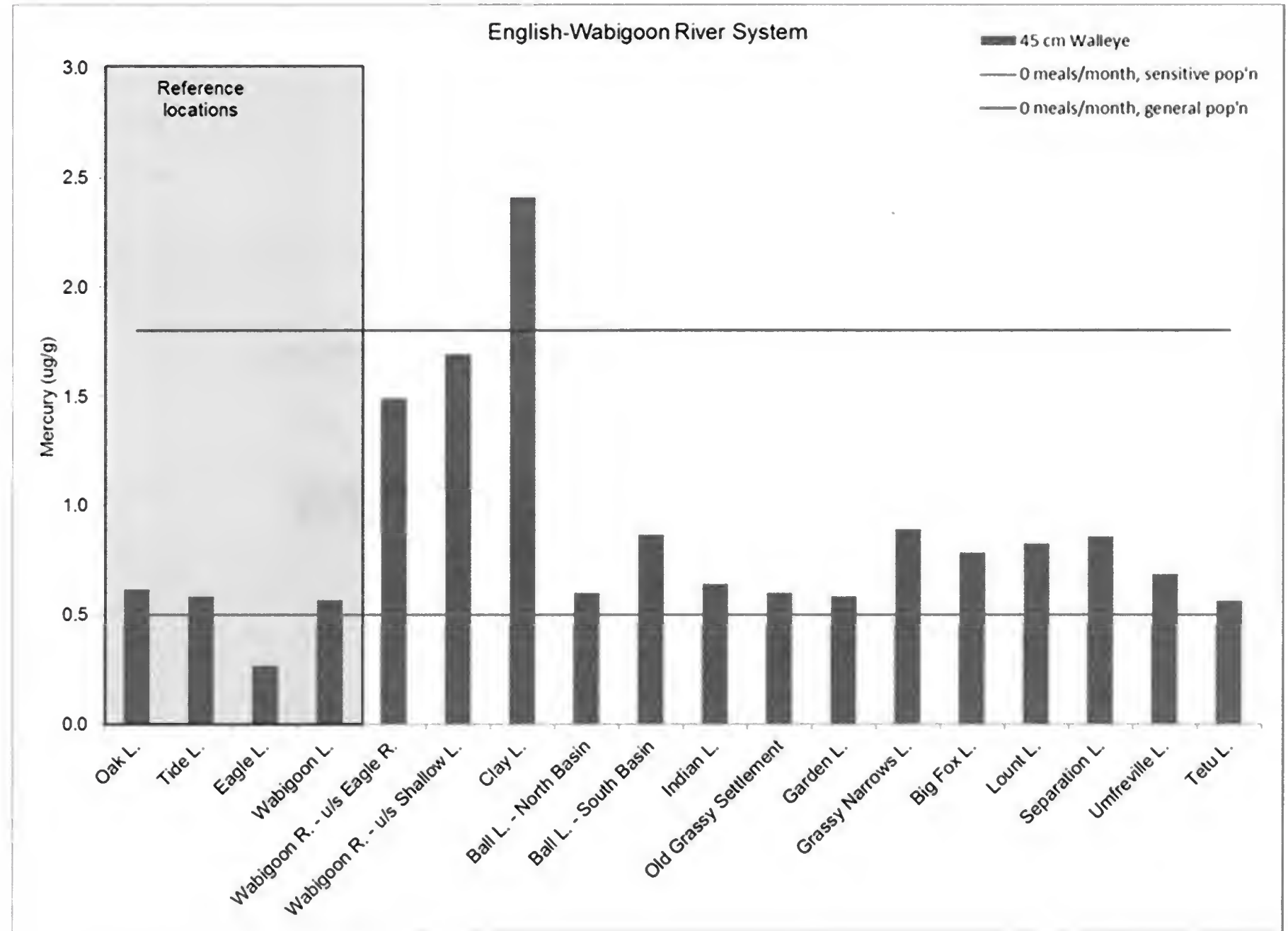
GENERAL INFORMATION	
PREPARED BY: Rachael Fletcher, Manager, Bio monitoring, EMRB	TEL: 416-327-2935
BRANCH APPROVAL: Kathy McKague, Director, EMRB	TEL: 416-235-6160
DIVISION APPROVAL: Tareq Al-Zabet, ADM, ESSD	TEL: 416-314-6310
DATE:	November 8, 2016
OTHER CONTACTS:	TEL:

- Appendix A – Map of Locations sampled / sport fish results
- Appendix B – Walleye mercury levels for English-Wabigoon river system
- Appendix C – Experimental Lakes Area – mercury levels
- Appendix D –Background mercury concentrations for 45cm Walleye for in Ontario Inland Lakes
- Appendix E – Preliminary mercury test results (.zip file)

## Appendix A – Map of Locations sampled

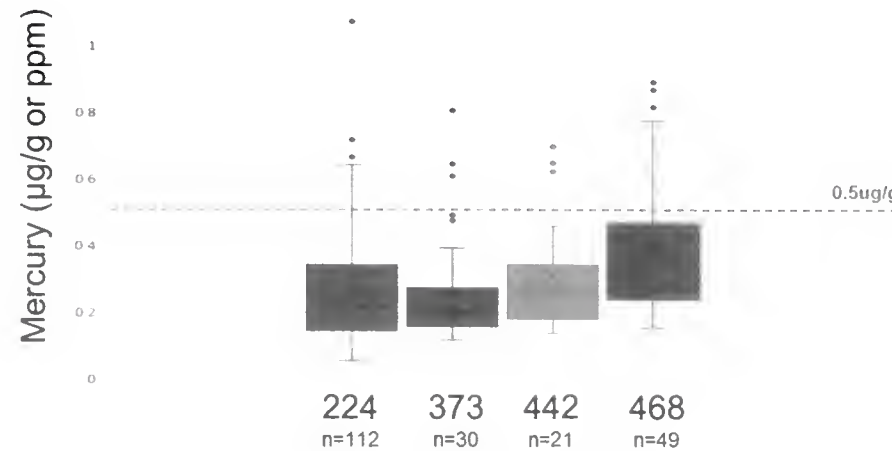


# Appendix B – Walleye mercury levels for English-Wabigoon river system

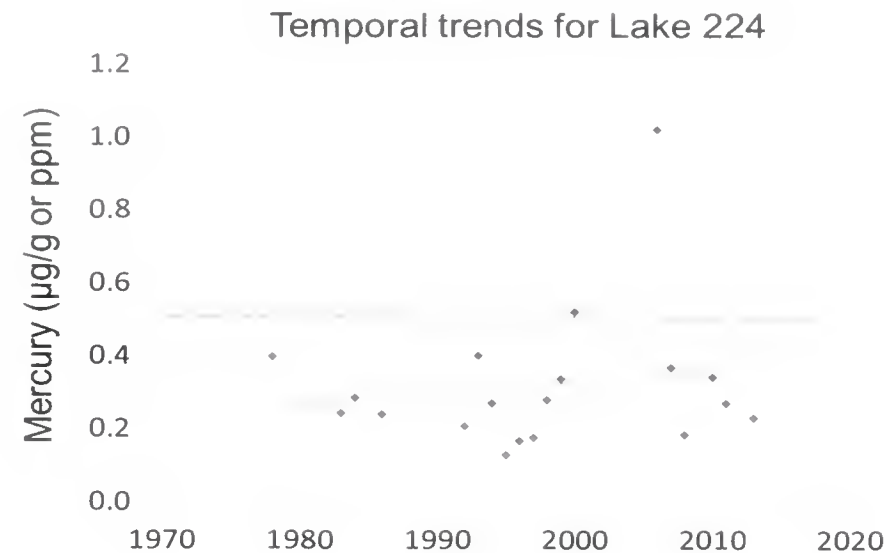


## Appendix C – Experimental Lakes Area – mercury levels

- ELA can be considered a natural laboratory of 58 small lakes and their watersheds that is set aside for scientific research.
- Located in a sparsely populated region of Northwestern Ontario. The lakes in this region are not affected by human impacts.
- Some lakes at ELA are reference lakes (unmanipulated) and are be used for background levels and trends.
- At the ELA, 4 lakes (224, 373, 442, and 468) have been monitoring for mercury in Lake trout. No Walleye data was collected.



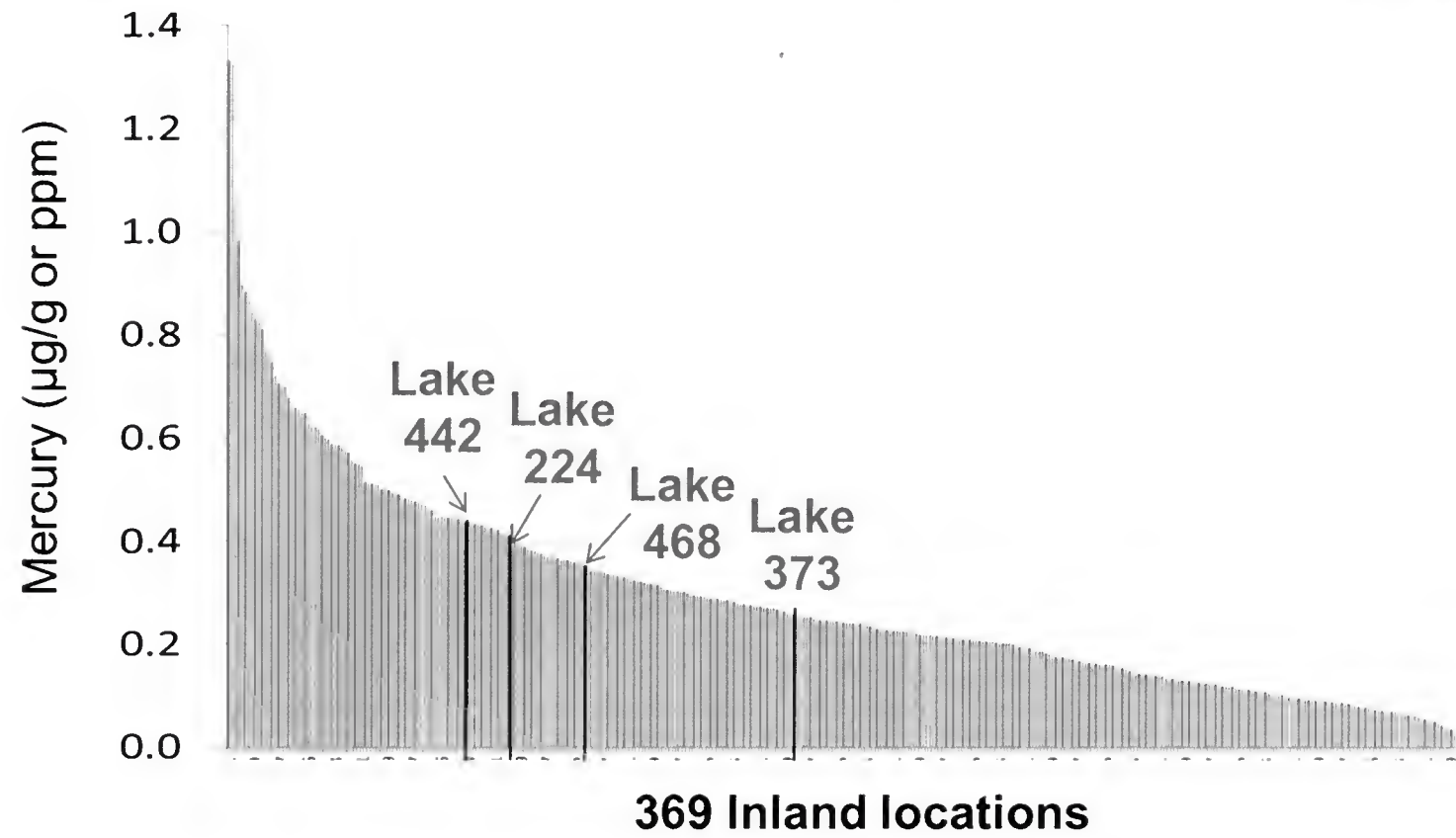
- Average mercury in 40cm Lake Trout ranged 0.13 to 1.02 ppm during the last 30 years (i.e. high variability). Most values were below 0.5 ppm (above which “do not eat” advice is issued for the sensitive population)



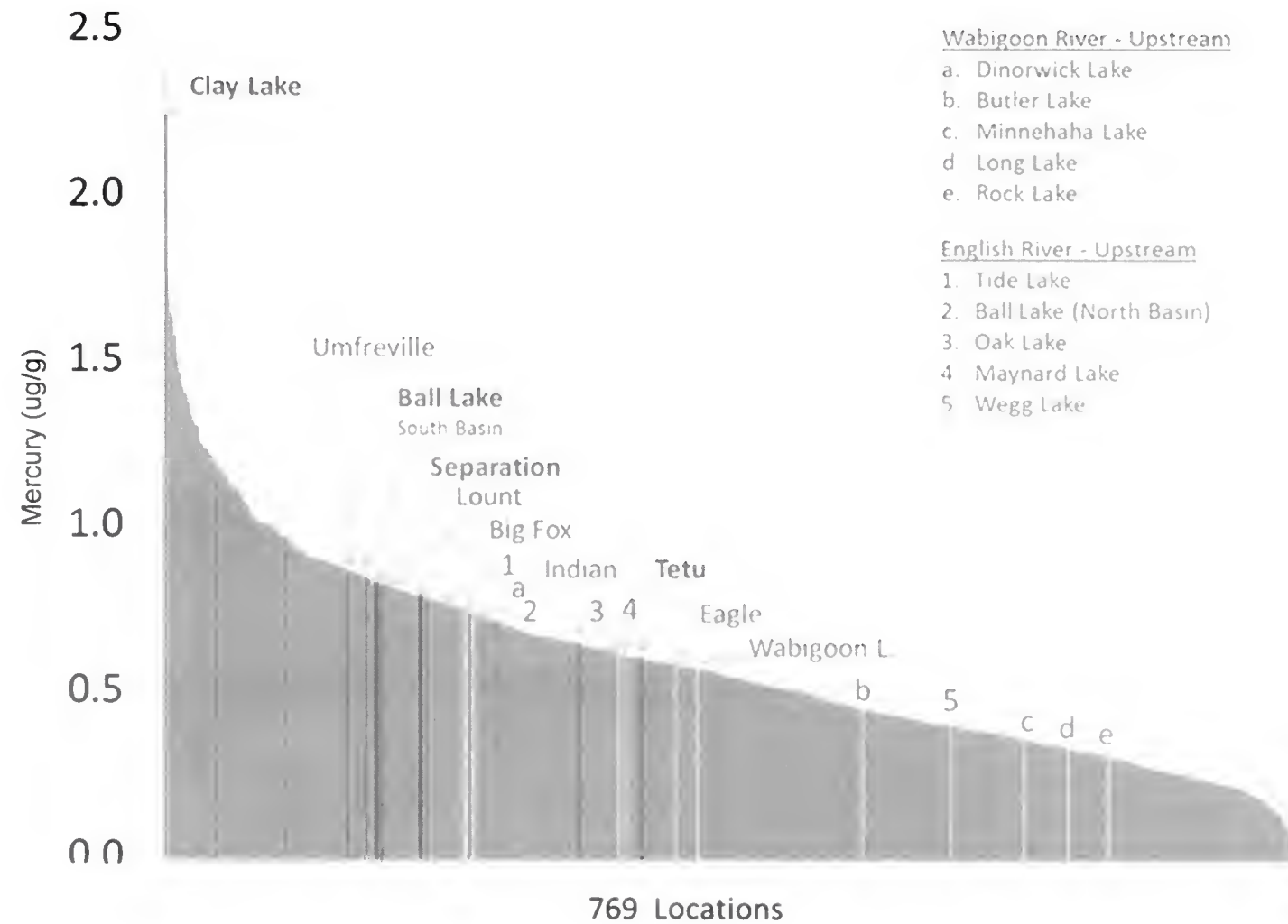
- There is a weak increasing trend since 1970 which appears to be driven by one high value; otherwise there seems to be no significant change over the time period
- 246,000 measurements; ~50,000 Walleye measurements have been collected through the MOECC fish contaminant monitoring program
- In walleye there has been an overall decline in Hg levels between the 1970s and 2010s. However since the mid-1990s a slight increase in Hg has been observed, especially for northern Ontario



- Comparisons in mercury levels in 40cm Lake Trout from ELA lakes and other Inland lakes in Ontario



# Appendix D – Background mercury concentrations for 45cm Walleye for in Ontario Inland Lakes





**Pages 17 to / à 18  
are withheld pursuant to sections  
sont retenues en vertu des articles**

**14, 19(1), 20(1)(d), 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Page 19**

**is withheld pursuant to sections  
est retenue en vertu des articles**

**14, 20(1)(d), 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

## **REQUEST FOR INFORMATION**

### **Grassy Narrows-Mercury**

#### **KEY POINTS**

- **INAC officers from all directorates are in contact with Grassy Narrows on a regular basis on a range of issues, including this one. An INAC Ontario Region official has been a member of the Grassy Narrows Mercury Working Group, a group set up by the First Nation and the Government of Ontario, since March 2015.**
- **On June 27, 2016, senior INAC officials attended a meeting in Grassy Narrows between First Nation leadership and Ontario ministers David Zimmer (Indigenous Relations & Reconciliation) and Glenn Murray (Environment and Climate Change) to discuss the mercury issue.**

•

•

#### **BACKGROUND**

##### **Mercury: General**

In 1970, mercury contamination caused by two companies in Dryden was discovered in the English-Wabigoon river system, leading to closure of the commercial fishery and some tourism-related businesses. The Grassy Narrows and Wabaseemoong First Nations sought compensation for loss of jobs and way of life. Between 1982 and 1986, Canada provided a total of more than \$9 million dollars (equivalent to \$18.9 million in 2017 dollars) to the communities in one-time compensation. This includes part of a \$16.67 million dollar (\$32.1 million in equivalent 2017 dollars) settlement agreed to and legislated in 1986 (the Grassy Narrows and Islington Indian Bands Mercury Pollution Claims Settlement Act, 1986) by Canada, Ontario, both First Nations and two companies involved in the operation. Ontario also passed parallel legislation (*English And Wabigoon River Systems Mercury Contamination Settlement Agreement Act, 1986*) that year.

The Act also set up the Mercury Disability Board (MDB), created to implement the terms of the settlement agreement by supervising mercury compensation awards to individuals. Some of the 1986 settlement funding was used to set up an account as a source of individual payments to members of Grassy Narrows and Wabaseemoong who meet the criteria for compensation. The Government of Ontario is responsible for topping up the compensation account, while INAC provides annual funding (\$72,500 a year) to help pay for MDB's administrative costs. Ontario funds approximately \$1 million a year to provide individual compensation to (as of the latest figures from the MDB as of May 2016) 109 members of Wabaseemoong and 76 members of Grassy Narrows.

Because of concerns by both Ontario and the First Nations, in June 2014 Ontario announced a review of the MDB's mandate and operations. Ontario invited INAC to participate in the review and subsequently Ontario Region provided a representative to the review team, supported by Justice Canada legal counsel, from March 2015 to when the review concluded in September 2016. At the conclusion of the review, the First Nations and Ontario agreed to a political-level "leaders' meeting" to discuss what the review revealed, as well as a four-party mechanism to negotiate any changes to the MDB. The Minister of Indigenous Relations and Reconciliation wrote a letter of invitation to Minister Bennett to attend the leaders' meeting.

#### Mercury: Grassy Narrows

While both Grassy Narrows and Wabaseemoong are covered under the legislation and settlement, Grassy Narrows has been the most vocal about the effects of mercury in the river system on the community and its members. The First Nation has held protests in a variety of locations, including at Queen's Park, to bring attention to the issue. To date, its most recent pressure to remediate the English-Wabigoon River system has been on the Government of Ontario.

Since March 2015, following an invitation by Grassy Narrows and the Government of Ontario, INAC has provided a representative to the Mercury Working Group (MWG). Health Canada also has representatives at the MWG table. The MWG is a tri-partite team (First Nation-Ontario-Canada) bringing together all the relevant parties to help the First Nation develop and implement longer-term solutions to deal with the collective legacy of mercury contamination of the English-Wabigoon River system, with INAC providing a link to other government departments in seeking expertise/information about proposed First Nation solutions. The group meets approximately six times a year, and INAC also provides information to Environment Canada and Justice Canada to help them maintain situational awareness.

On June 27, 2016, Ontario ministers David Zimmer (Indigenous Relations & Reconciliation) and Glenn Murray (Environment and Climate Change) visited Grassy Narrows to discuss the mercury issue. INAC Ontario Region officials (Acting RDG and Director Governance, Individual Affairs and Government Relations) also attended the meeting.

## REQUEST FOR INFORMATION

### Grassy Narrows-Mercury

#### SUMMARY

- **INAC officers from all directorates are in contact with Grassy Narrows on a regular basis on a range of issues, including this one. An INAC Ontario Region official has been a member of the Grassy Narrows Mercury Working Group, a group set up by the First Nation and the Government of Ontario, since March 2015.**
- **On June 27, 2016, senior INAC officials attended a meeting in Grassy Narrows between First Nation leadership and Ontario ministers David Zimmer (Indigenous Relations & Reconciliation) and Glenn Murray (Environment and Climate Change) to discuss the mercury issue.**

•

•

#### BACKGROUND

##### Mercury: General

In 1970, mercury contamination caused by two companies in Dryden was discovered in the English-Wabigoon river system, leading to closure of the commercial fishery and some tourism-related businesses. The Grassy Narrows and Wabaseemoong First Nations sought compensation for loss of jobs and way of life. Between 1982 and 1986, Canada provided a total of more than \$9 million dollars (equivalent to \$18.9 million in 2017 dollars) to the communities in one-time compensation. Part of this compensation (\$2.2 million - \$4.2 million in 2017 dollars - to Wabaseemoong for economic development, social and educational programs, and \$4.4 million - \$8.5 million in 2017 dollars - to Grassy Narrows for economic development, as well as social service planning and development) was via agreements with the individual First Nations.

Another part of this one-time compensation includes part of a \$16.67 million dollar (\$32.1 million in equivalent 2017 dollars) settlement (Canada's share: \$2.75 million, equivalent to \$5.3 million in 2017 dollars) agreed to and legislated in 1986 (the *Grassy Narrows and Islington Indian Bands Mercury Pollution Claims Settlement Act, 1986*) by Canada, Ontario, both First Nations and two companies involved in the operation.

Ontario also passed parallel legislation (*English And Wabigoon River Systems Mercury Contamination Settlement Agreement Act, 1986*) that year.

The *Grassy Narrows and Islington Indian Bands Mercury Pollution Claims Settlement Act, 1986* also set up the Mercury Disability Board (MDB), created to implement the terms of the settlement agreement by supervising mercury compensation awards to individuals. Some of the 1986 settlement funding was used to set up an account as a source of individual payments to members of Grassy Narrows and Wabaseemoong who meet the criteria for compensation. The Government of Ontario is responsible for topping up the compensation account, while INAC provides annual funding (\$72,500 a year) to help pay for MDB's administrative costs. Ontario funds approximately \$1 million a year to provide individual compensation to (as of the latest figures from the MDB as of May 2016) 109 members of Wabaseemoong and 76 members of Grassy Narrows. Since 1986, the MDB has provided a total of more than \$20 million (\$20,515,705.80 as of December 31, 2016) in individual compensation to eligible members of Grassy Narrows and Wabaseemoong.

Because of concerns by both Ontario and the First Nations, in June 2014 Ontario announced a review of the MDB's mandate and operations. Ontario invited INAC to participate in the review and subsequently Ontario Region provided a representative to the review team, supported by Justice Canada legal counsel, from March 2015 to when the review concluded in September 2016. At the conclusion of the review, the First Nations and Ontario agreed to a political-level "leaders' meeting" to discuss what the review revealed, as well as a four-party mechanism to negotiate any changes to the MDB. The Minister of Indigenous Relations and Reconciliation wrote a letter of invitation to Minister Bennett to attend the leaders' meeting.

#### Mercury: Grassy Narrows

While both Grassy Narrows and Wabaseemoong are covered under the legislation and settlement, Grassy Narrows has been the most vocal about the effects of mercury in the river system on the community and its members. The First Nation has held protests in a variety of locations, including at Queen's Park, to bring attention to the issue. To date, its most recent pressure to remediate the English-Wabigoon River system has been on the Government of Ontario.

Since March 2015, following an invitation by Grassy Narrows and the Government of Ontario, INAC has provided a representative to the Mercury Working Group (MWG). Health Canada also has representatives at the MWG table. The MWG is a tri-partite team (First Nation-Ontario-Canada) bringing together all the relevant parties to help the

s.14

s.21(1)(c)

s.21(1)(a)

s.23

First Nation develop and implement longer-term solutions to deal with the collective legacy of mercury contamination of the English-Wabigoon River system, with INAC providing a link to other government departments in seeking expertise/information about proposed First Nation solutions. The group meets approximately six times a year, and INAC also provides information to Environment Canada and Justice Canada to help them maintain situational awareness.

#### Federal-Provincial Elements

On June 27, 2016, Ontario ministers David Zimmer (Indigenous Relations & Reconciliation) and Glenn Murray (Environment and Climate Change) visited Grassy Narrows to discuss the mercury issue. INAC Ontario Region officials (Acting RDG and Director Governance, Individual Affairs and Government Relations) also attended the meeting.



**Page 26**

**is withheld pursuant to sections  
est retenue en vertu des articles**

**14, 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

## **Update on Grassy Narrows – January 5, 2017**

### **Background**

In 1970, mercury contamination caused by two companies in Dryden was discovered in the English-Wabigoon river system. The *Grassy Narrows and Islington Indian Bands Mercury Pollution Claims Settlement Act* mandates compensation for members of Wabaseemoong and Grassy Narrows First Nations. Under the terms of the 1985 Agreement between Canada, Ontario, Great Lakes Forest Products, Reed Incorporated, Grassy Narrows First Nation and Wabaseemoong First Nation, applicants must provide evidence of a medical condition, supported by a medical report by an authorized physician, and an assessment of the medical report using a point system to determine the severity of any neurological symptoms.

An INAC Ontario official participates on the Mercury Disability Board, to which the Department contributes \$72,500 annually to the Board's annual operating and activity costs. Canada has contributed the following compensation: \$2.2 million to the Wabaseemoong First Nation in 1982; \$4.4 million to Grassy Narrows First Nation in 1984; and \$2.75 million to Grassy Narrows and Wabaseemoong First Nations as a one-time compensation in 1985. Since 1986, the MDB has provided a total of more than \$20 million (\$20,515,705.80 as of December 31, 2016) in individual compensation to eligible members of Grassy Narrows and Wabaseemoong.

Since March 2015, INAC has also been sending a representative to the Mercury Working Group. This tri-partite team (Canada, Ontario and Grassy Narrows) is working to help the First Nation develop and implement longer-term solutions to deal with the legacy of mercury contamination.

On April 29, 2016 Grassy Narrows shared an updated report on mercury clean-up options prepared for Grassy Narrows First Nation with Canada and Ontario, which was reported on CBC news May 30, 2016. Cleanup of the contamination is a provincial responsibility.

On June 27, 2016, Ontario ministers David Zimmer (Indigenous Relations & Reconciliation) and Glenn Murray (Environment and Climate Change) visited Grassy Narrows. INAC Ontario Region officials (Acting RDG and Director of Governance, Individual Affairs and Government Relations) also attended the meeting. Reports indicate that Ontario committed \$300,000 at this meeting to fund ongoing studies of the English-Wabigoon River system. Ontario also committed another \$300,000 to fund the administration and meetings of the Mercury Working Group.

On September 20, 2016, an 18 month review to determine if changes need to be made to the way the Mercury Disability Board operates was concluded. After the review, the First Nations and Ontario agreed to a political-level "leaders' meeting" to discuss what the review revealed, as well as a four-party mechanism to negotiate any changes to the Mercury Disability Board.

### **Update**

The \$300,000 committed by Ontario in June 2016 has funded work with Grassy Narrows and contracted scientists to collect sediment, water and fish samples and more specifically locate where mercury remains in the river system. This work will help support the eventual remediation of the river system. Ontario is

also working with the community on fish sampling and sharing information with the community about where the highest risk fish are located in order to avoid their consumption.

The Mercury Working Group met most recently on November 23, 2016, and the next meeting is scheduled for February 2017.

**FOLLOW-UP QUESTIONS & ANSWERS**  
**January 16, 2017 MO Call on Mercury Disability Board**

**Q1) Why did the federal government sign onto the MOU in 1985?**

**A1)** According to the November 1985 Memorandum of Agreement (MOA) signed by Canada, Ontario, the First Nations and the companies involved, the mercury spills led to issues *"in respect of the social and economic circumstances and the health of the present and future members of the Bands."* As such, the MOA says *"by reason of jurisdiction over and responsibility for Indians and lands reserved for Indians, Canada has an interest in accordance with public policy in the resolution of the issues and has participated in the negotiations accordingly."*

**Q2) Does the agreement release Canada of any liability?**

**A2)** The intent of the 1985 MOA is to release Canada from liability. The 1985 MOA says, *"The parties agree, without admission of liability by any party and subject to the terms of this agreement, that the settlement is to settle all claims and causes of action, past, present and future, arising out of the issues."* The MOA also says, *"The Bands shall provide to Canada covenants, conditional upon enactment and coming into force of the legislation and endorsed by Band Council Resolutions, not to sue in respect to any claims which they may otherwise have had against Canada in respect of the issues."*

Neither of the First Nations involved have raised any legal arguments on this issue, but there is no immediately-available documentary evidence of the First Nations having provided such Band Council Resolutions.

**Q3) What is our responsibility, both legal and implicit?**

**A3)** Under the terms of the 1985 MOA (tabled in the House of Commons on May 21, 1986), Canada is responsible for designating one member of the Mercury Disability Board's (MDB) Search Committee, and paying part of the costs of operating the MDB. INAC is meeting these obligations by having a member representing Canada on the Search Committee, and contributing \$72,500 a year as Canada's share of MDB administrative costs.

While the MOA only calls for "two other persons" on the full MDB, INAC has also traditionally named a representative to the full Board. As such, precedent, as well as potential need for oversight and relationship building, suggests continued participation at that level as well.

**Q4) Please provide an overview of the Grassy Narrows Mercury Working Group.**

**A4)** In 2013, Ontario's Minister of Aboriginal Affairs, David Zimmer, agreed to create a working group (Mercury Working Group, or MWG) to help Grassy Narrows deal with issues associated with mercury still in the English-Wabigoon River system. In July 2014, Grassy Narrows invited INAC Ontario Region to send a representative to the

MWG to join Ontario and the First Nation. INAC Ontario Region has sent a representative to MWG meetings, held approximately quarterly since January 2015. INAC's representative acts as a single-window access to other federal government departments for information and input as requested by the MWG. Health Canada also has representatives sitting at the MWG table. The Government of Ontario funds the operations of the MWG, as well as funding research being done on mercury contamination in the English-Wabigoon River system.

### **Supplementary Questions (SQ)**

**SQ1) When did the Mercury Disability Board review occur, and how did it come to be?**

**SA1)** Because of concerns by both Ontario and the First Nations, on July 29, 2014, Ontario's Minister of Aboriginal Affairs, David Zimmer, announced a review of the MDB's mandate and operations. On January 20, 2015, Ontario's Ministry of Aboriginal Affairs invited the parties on the Mercury Disability Board Search Committee (including INAC) to appoint a review team representative. INAC Ontario Region's review team representative, as well as Justice Canada legal counsel, participated from March 2015 until the conclusion of the review in September 2016. At the conclusion of the review, the First Nations suggested both a political-level "leaders' meeting" to discuss what the review revealed, as well as a four-party mechanism to negotiate any changes to the MDB. On November 22, 2016, Minister Zimmer invited both First Nations and INAC to a leadership meeting "*to discuss our next steps*".

**SQ2) Why does Canada have a representative on the full Mercury Disability Board?**

**SQ2)** Research under way.

**PCO FOLLOW-UP Q&A #3  
Grassy Narrows & Mercury**

**Q1) Can you confirm which Government of Ontario ministry is responsible for remediation of the river system?**

**A1)** Right now, Ontario's Ministry of Indigenous Relations and Reconciliation (MIRR) is flowing funding for the work of the Mercury Working Group, and for research being carried out to determine exactly where mercury may be in the English-Wabigoon River system. It also acts as a provincial co-ordinating ministry for work being carried out by the Mercury Working Group, so could be expected to play some role during remediation. According to Ontario's Auditor General, Ontario's Ministry of the Environment and Environmental Change "regulates environmental mitigation or remediation efforts province-wide (and) responds to real or potential risks of harm to public health & safety or to the environment when a responsible party cannot be found," while Ontario's Ministry of Natural Resources & Forestry is "responsible for contaminated sites on Crown land (primarily forests and wilderness)". Given that, 1) the mercury is located in a river system on provincial Crown land, 2) the mercury may be affecting First Nation members, and 3) Ontario is funding current research into mercury in the river, all three Ministries can be expected to play some role.

**Q2) Can you provide us with a timeline/summary of recent contact between Ontario ministries and federal departments on the issue of Grassy Narrows?**

**A2)** INAC holds no comprehensive list of meetings between Grassy Narrows and other federal departments. In 2016, INAC participated in Mercury Working Group meetings with Grassy Narrows on January 21-22, March 10, May 9, July 20-21, September 22-23 and November 22-23. Environment Canada may have also met with Grassy Narrows on this or similar issues. Environment Canada's Ontario Regional Director General's office can be reached at 416-739-4936.

**Q3) What is the purpose of the February 2017 Mercury Working Group meeting?**

**A3)** No agenda has been prepared, but such meetings typically cover progress on a range of initiatives being carried out by the community. These include:

- a health survey to establish baseline information about community health as part of an eventual process to develop services needed in the community (funded by Ontario & Health Canada);
- fish testing under way to assess the risk of eating such fish and how to communicate that risk to community members (funded by Ontario);
- fish and soil sampling being done by the First Nation, its researchers and the Province of Ontario (funded by Ontario); and

- an assisted-living facility the MWG seeks to have built to offer care to Grassy Narrows members unable to stay at home due to disabilities/disorders the Band attributes to mercury poisoning (funding to be determined).

**Q4) Can you give us a sense of the role of lead Ontario ministries and what action they are taking on this file?**

**A4)** Various Ontario Ministries are involved as follows:

- **Ontario Ministry of Indigenous Relations & Reconciliation (MIRR)** -- MIRR is helping co-ordinate the work of the MWG, providing some secretariat support to supplement that provided by the First Nation via its legal counsel. MIRR has also provided funding (\$300,000) for the operation of the MWG, and has helped flow other funding (\$300,000) to pay for research being done to assess where mercury is located in the English-Wabigoon River system.
- **Ontario Ministry of the Environment and Climate Change (OMOECC):** OMOECC is providing technical expertise and staff support for First Nation research into mercury in the English-Wabigoon River system, and is testing fish for the First Nation to assess levels of mercury in different lakes and to communicate the various risk levels of eating fish from those lakes.
- **Ontario Ministry of Health and Long-term Care (MOHLTC):** MOHLTC is working with Health Canada supporting the First Nation carrying out a community health survey.

**Q5) Can you share the November 28, 2016 correspondence that Minister Bennett received from the Ontario Ministers of Environment and Indigenous Relations?**

**Can you share the draft response to that effect? Have Health Canada and ECCC been consulted on the draft response?**

**A5)** Please find documents attached. Given Health Canada & Environment Canada also received copies of the incoming letter, they were not consulted about INAC's response.

**Q6) Do you have a map of the area that highlights the location of Grassy Narrows First Nation in relation to the pulp and paper mill site and the site of contamination? We're looking for a visual representation.**

**A7)** INAC Ontario Region has no such product. If one is required, a product could be developed using Google Earth or similar software.

**Q7) Can you comment on whether DFO has any responsibility with respect to a 'cultural fishery' in the context of Grassy Narrows and mercury contamination?**

**A7)** INAC has had no direct contact with DFO on this file. While DFO is the federal lead in managing Canada's fisheries, DFO is traditionally not responsible for fisheries on inland waterways/watersheds.



**Pages 34 to / à 42  
are withheld pursuant to sections  
sont retenues en vertu des articles**

**14, 20(1)(d), 21(1)(a), 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

DRAFT, v2  
December 6, 2016

**Media lines**  
**Release of CMAJ article on Grassy Narrows**

**Issue**

The Canadian Medical Association Journal is publishing an article entitled, *The interwoven history of mercury poisoning in Ontario*. This article highlights the history of mercury poisoning in Minamata Japan and Grassy Narrows.

**Key messages**

- Health Canada is strongly committed to assisting the residents of Grassy Narrows, and our goal is to ensure they have all the necessary information to conduct their research.
- Health Canada remains committed to monitoring mercury and other chemicals in First Nations communities, including Grassy Narrows and Wabaseemoong.
- Health Canada has recently met with the community to discuss the archived data held by Health Canada and answer questions. We will continue to work with the community in support of its research.
- Health Canada has continued to offer free analysis of hair and blood samples to all residents of Grassy Narrows and Wabaseemoong and to any applicant under the Mercury Disability Board, upon their request. The department also continued to fund, and actively participate in, mercury studies in the area.
- Health Canada continues to review and improve our research practices, processes and policies. Additionally, Health Canada has offered to collaborate with Grassy Narrows to do a community health assessment and to provide mercury testing for members of the community that may want to be tested.
- Diagnoses of mercury poisoning are managed through the Mercury Disability Board, which includes representation from two physicians and a neurologist who are responsible for conducting examinations.
- We have full confidence in the professional medical expertise utilized by the Mercury Disability Board, which is supported by the Government of Ontario with participation from the communities and the Government of Canada.

**Questions and Answers**

**What is the role of Health Canada in the Mercury Disability Board?**

Health Canada is not a member of the Mercury Disability Board. A representative from Indigenous and Northern Affairs (INAC) is a member of the Mercury Disability Board and INAC shares operational costs of the Board with the province.

**Are there more people with mercury poisoning who are not being compensated by the Mercury Disability Board?**

1

Formatted: Font: (Default) Times New Roman,  
8 pt

DRAFT, v2  
December 6, 2016

Compensation for people affected by mercury is the responsibility of the Mercury Disability Board. The Province of Ontario is responsible for replenishing the Board's compensation fund and diagnosing medical conditions of Board applicants.

**How have the diagnoses of mercury been determined?**

These diagnoses are managed through the Mercury Disability Board, which include representation from two physicians and a neurologist who are responsible for conducting examinations.

**Settlement agreement with the Grassy Narrows and Islington Indian Bands**

- In 1986, the *Grassy Narrows and Islington Indian Bands Mercury Pollution Claims Settlement Act* was agreed to by the Government of Canada, the Government of Ontario, Reed Inc., Great Lakes Forest Products Ltd., the Islington Indian Band and the Grassy Narrows Indian Band. Under the settlement agreement compensation was provided to registered First Nations who were residents of the communities prior to October 1, 1985.
- As per the agreement:
  - The Government of Canada paid \$2.75 million
  - The Government of Ontario paid \$2.17 million
  - Great Lakes Forest Products paid \$6 million
  - Reed Limited paid \$5.75 million
  - The Grassy Narrows and Islington Band Mercury Disability Board (MDB) was created to implement the terms of the settlement agreement by supervising mercury disability awards. The administration of MDB is wholly funded by the Ontario government and consists of:
    - An independent Chair
    - One representative of the Grassy Narrows Band
    - One representative of the Islington Band
    - Two physicians (unaffiliated with Health Canada or Ontario Ministry of Health)
    - One representative of Ontario Aboriginal Affairs
    - One representative of Indigenous and Northern Affairs Canada

Comment [CQ1]: Compensation?

**Dr. Masazumi Harada's research**

- Dr. Harada originally assessed the community in 1975. In 1976 he released a report stating that several residents exhibited symptoms of methylmercury poisoning.
- More recent follow-up studies on residents of Grassy Narrows have been conducted by Dr. Harada (Sept, 2002). However, the partial results shared with Health Canada lacked differential diagnosis with other possible causes of similar clinical picture. It is therefore impossible for us to comment on those findings.
- With respect to the recent report by Dr. Harada, Health Canada is reviewing the report, therefore we cannot comment at this time.

Comment [CQ2]: Do we have an update on this?

Formatted: Font: (Default) Times New Roman, 8 pt

DRAFT, v2  
December 6, 2016

### **Health Canada Mercury Testing in Grassy Narrows and Wabaseemoong**

#### **Have any Health Canada studies linked mercury levels in the residents of Grassy Narrows and Wabaseemoong with the pulp and paper mill in Dryden, Ontario?**

Health Canada's role was to determine when mercury exposure had reached safe levels in these communities, after consumption advisories were issued for local fish. Health Canada's mercury monitoring program was not designed to confirm a link to the pulp and paper mill in Dryden, Ontario.

#### **What mercury testing has Health Canada completed in Grassy Narrows and Wabaseemoong?**

Health Canada completed extensive annual monitoring for mercury in Grassy Narrows and nearby communities (including Wabaseemoong) between 1971 and 2000 to help determine when mercury exposure had reached safe levels in these communities. As of 1987, the annual test results for mercury were consistently below the Health Canada safety guidelines for the general population. These levels continued to be low; therefore, in 1999, the annual testing program was discontinued.

Since this time, Health Canada has continued to offer free analysis of hair and blood samples to all residents of Grassy Narrows and Wabaseemoong and to any other applicants under the Mercury Disability Board, upon their request. The last request for testing was made by Health Canada in 2007.

### **Health Canada mercury monitoring in First Nations**

#### **What is Health Canada doing to monitor mercury in First Nations communities?**

Health Canada remains committed to monitoring mercury and other chemicals in First Nation communities, including Grassy Narrows, and continues this on an ongoing basis through concurrent initiatives:

- The First Nations Environmental Contaminants Program
- First Nations Food, Nutrition and Environment Study

### **Mercury Level Guidelines**

#### **What are Health Canada's current guidelines for mercury levels in blood and hair?**

For the general population, acceptable levels are 20 parts per billion in blood and 6 parts per million in hair. For women of child-bearing age and children, the acceptable limits are 8 parts per billion in blood and 2 parts per million in hair.

#### **What are Health Canada's current guidelines for mercury levels in cord blood?**

Cord blood is not usually tested for mercury now because these levels can be determined through the maternal mother's hair. In 2008, the World Health Organization determined that 1 part per million of a maternal mother was equivalent to 5 or 6 parts per billion in cord blood.

DRAFT, v2  
December 6, 2016

**When did Health Canada set its guidelines for mercury in blood and hair levels?**

Health Canada's mercury in blood guideline is continuously reviewed and updated to reflect new internationally accepted scientific evidence. It was originally set in 1974 based on a Swedish Expert Group study published in 1971 and the subsequent values adopted by the World Health Organization in 1972. The Canadian guideline was set at 20 parts per billion for blood and 6 parts per million for hair. Consistent with the international WHO guidelines, these levels applied to all people, regardless of age. Values from 20-100 parts per billion in blood and 6-30 parts per million for hair were considered to be at "increasing risk" and values over 100 parts per billion in blood and 30 parts per million in hair were considered to be "at risk." The guidelines levels for "at risk" and "increasing risk" remain unchanged for the general population.

However in 2010, new scientific evidence led Health Canada to decrease its mercury guidelines to 8 parts per billion in blood and 2 parts per million in hair for women of child-bearing age and children. Mercury levels in cord blood and maternal blood were considered equivalent until 2008 when the WHO determined that 1 part per million in the hair of maternal blood was equivalent to 5 or 6 parts per billion in cord blood.

**Page 47**

**is withheld pursuant to sections  
est retenue en vertu des articles**

**14, 19(1), 20(1)(d), 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Pages 48 to / à 51  
are withheld pursuant to sections  
sont retenues en vertu des articles**

**14, 20(1)(d), 21(1)(c)**

**of the Access to Information Act  
de la Loi sur l'accès à l'information**

**Fortin2, Marie-Claude (EC)**

---

**From:** Fortin2, Marie-Claude (EC)  
**Sent:** February 2, 2017 2:26 PM  
**To:** Anglesey, Jeremy (EC)  
**Subject:** ADM response for Grassy Narrows

See below

---

**From:** Fortin2, Marie-Claude (EC)  
**Sent:** June 2, 2016 8:45 AM  
**To:** Anglesey, Jeremy (EC)  
**Subject:** RE: For your information - Grassy Narrows response

Great summary below! Glad we got ahead of this one.

---

**From:** Anglesey, Jeremy (EC)  
**Sent:** June 1, 2016 11:01 AM  
**To:** Fortin2, Marie-Claude (EC)  
**Subject:** FW: For your information - Grassy Narrows response

Fyi..and please 'file'

Jeremy Anglesey

Gestionnaire de programmes int., Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tél: 819-420-7651

Acting Program Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tel : 819-420-7651

---

**From:** Cheng, Catherine (EC)  
**Sent:** June 1, 2016 10:36 AM  
**To:** Anglesey, Jeremy (EC)  
**Cc:** Poulin3, Sylvie (EC)  
**Subject:** FW: For your information - Grassy Narrows response

Jeremy, for your interest. See below.

Best,  
Catherine



---

**From:** Hulan, Indrani (EC)

**Sent:** June 1, 2016 10:34 AM

**To:** Moffet, John (EC); Lafontaine2, Lynn (EC); Farquharson, Laura (EC); MacLellan, Patricia (EC); Poter, Virginia (EC); Blais, Caroline (EC); Long, Julia (EC); Dickson, Alison (EC); Cheng, Catherine (EC); Poulin3, Sylvie (EC); McAllister, Nancy (EC); DIorio, Marc (EC)

**Subject:** For your information - Grassy Narrows response

Good morning -

Thanks to everyone for their input on this question from MinO. FYI, please see below for the response we sent back.

Thanks again  
Indrani

---

**From:** Ronchi, Alisa (EC)

**Sent:** June 1, 2016 9:01 AM

**To:** Huddleston, Jeanne-Marie (EC)

**Cc:** Hulan, Indrani (EC); DGPE Unite de Breffage / EPB Briefing Unit (EC); Zed, Jordan (EC); Cuddihy, John (EC)

**Subject:** RE: For Mike's approval: Response to MinO question re: Grassy Narrows

The following text is ADM approved:

- It is unclear from media coverage whether the concern is strictly related to “legacy” mercury contamination, or if they are concerned that there is some currently active entity that is a source of mercury.
  - For the former (legacy issue), some of the mercury contamination at Grassy Narrows is the result of historical pollution from a chlor-alkali facility using mercury cells. The chlor-alkali facility was producing hydrochloric acid for use in an adjoining pulp mill. Funding would not be available under the Federal Contaminated Sites Action Plan since the federal government is not responsible for the contamination, nor is it located on federal land. EPOD may be able to provide technical support related to ECCC’s mandate, if requested by INAC as the federal lead on the file.
  - For the latter (potential current source), this would be captured by the *Fisheries Act*.
- ON region RDG (SPB) is the lead on ECCC’s involvement (Andrew Preston is the contact) – and would be better placed to provide an answer to the question.
- And, in general, INAC is the lead department on this issue. Of interest, there is a Mercury Pollution Claims Settlement with Grassy Narrows dating back to 1986, and an Act that gives it effect (administered by INAC). These are attached for information.

Thanks,  
Alisa

---

**From:** Liaison (EC)

**Sent:** May 30, 2016 5:27 PM

**To:** Hulan, Indrani (EC)

**Cc:** Zed, Jordan (EC); Cuddihy, John (EC)

**Subject:** FW: Grassy Narrows

Hi Indrani,

Can you ask LRAD for a reply on this please? Just an email response is fine.

Thanks  
JM

Jeanne-Marie Huddleston for Richard Roulx  
Adjoint ministériel, Cabinet de la Ministre  
[richard.roulx@canada.ca](mailto:richard.roulx@canada.ca) / Tél.: 819-938-3549 / Tél. Cell.:  
Departmental Assistant, Minister's Office  
[richard.roulx@canada.ca](mailto:richard.roulx@canada.ca) / Tel: 819-938-3549 / Cel: .

**From:**

**Sent:** 2016 mai 30 16:26

**To:** Liaison (EC)

**Cc:**

Doyle, Mary Lou (EC)

**Subject:** Grassy Narrows

Hello Jean Marie

Grassy Narrows First Nation has long standing concerns relating to mercury in the water ways near their community and associated impacts on human health.

This issue was recently raised in media reports when Grassy Narrows declared a state of emergency. One report is provided below for reference:

<http://www.cbc.ca/beta/news/canada/thunder-bay/grassy-narrows-first-nation-declares-emergency-over-bad-water-1.3204974>

Please ask the department to confirm whether ECCC has any ongoing legislative, regulatory or policy responsibilities in relation to this matter. If yes, please ask for a description of those responsibilities and what is being done to discharge them.

Also, please ask the department to confirm if other. Federal departments have ongoing responsibilities in relation to the concerns of Grassy Narrows.

Thank you

Sent from my BlackBerry 10 smartphone on the Rogers network.

**Fortin2, Marie-Claude (EC)**

---

**From:** Fortin2, Marie-Claude (EC)  
**Sent:** February 2, 2017 4:21 PM  
**To:** Anglesey, Jeremy (EC)  
**Subject:** RE: Key Points on Grassy Narrows First Nation Mercury Working group and ECCC participation

**From:** Anglesey, Jeremy (EC)  
**Sent:** February 2, 2017 4:15 PM  
**To:** Fortin2, Marie-Claude (EC)  
**Subject:** RE: Key Points on Grassy Narrows First Nation Mercury Working group and ECCC participation

Jeremy Anglesey

Gestionnaire de section, Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tél: 819-420-7651

Section Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tel : 819-420-7651

**From:** Fortin2, Marie-Claude (EC)  
**Sent:** February 2, 2017 4:14 PM  
**To:** Anglesey, Jeremy (EC)  
**Subject:** RE: Key Points on Grassy narrows First Nation Mercury Working group and ECCC participation

**From:** Anglesey, Jeremy (EC)  
**Sent:** February 2, 2017 4:04 PM  
**To:** Fortin2, Marie-Claude (EC)  
**Subject:** RE: Key Points on Grassy Narrows First Nation Mercury Working group and ECCC participation

Great summary, MC.

Jeremy Anglesey

Gestionnaire de section, Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada

Jeremy.Anglesey@canada.ca / Tél: 819-420-7651

Section Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
Jeremy.Anglesey@canada.ca / Tel : 819-420-7651

**From:** Fortin2, Marie-Claude (EC)  
**Sent:** February 2, 2017 3:52 PM  
**To:** Kitagawa, Kathy (EC)  
**Cc:** Amyot, Kate (EC); Anglesey, Jeremy (EC)  
**Subject:** Key Points on Grassy Narrows First Nation Mercury Working group and ECCC participation

*Kathy, for your consideration and review. If appropriate, please send to the DG ahead or her call with Susan Waters at 4:30 today.*

**Key Points:**

- Grassy Narrows First Nation has long standing concerns relating to Mercury in the water ways near their community caused by a pulp mill that is now closed.
- Both the land and contamination are non-federal.
- The Grassy Narrows Mercury Working group who is assessing and managing the contamination has informally asked ECCC to review reports produced by the WG.
- ECCC however has concluded that the department does not have jurisdiction in relation to this issue and that INAC should remain the lead department on the Mercury WG.
- EPB ADMO confirmed in June that ON region RDG (SPB) would be the lead on any future ECCC involvement with this WG (Andrew Preston is the contact in SPB)
- Draft MinO holding lines from June reiterated the aforementioned conclusions.

**Background:**

- Grassy Narrows First Nation (GNFN), located on non-federal land in Northern Kenora in Ontario, has long standing concerns relating to Mercury in the water ways near their community and associated impacts on human health. In 2015 a state of emergency was declared for the GN FN over concerns with their drinking water.
- Some of the legacy mercury contamination at Grassy Narrows is the result of historical pollution from a chlor-alkali facility using mercury cells. The chlor-alkali facility was producing hydrochloric acid for use in an adjoining pulp mill. The mill has since been closed but there is work underway to assess potential current sources of contamination.
- The contaminated area in question does not include any Federal lands nor did the federal government cause the contamination and so does not fall within the purview of the Federal Contaminated Sites Action Plan, but rather is solely under Provincial jurisdiction. As such the Federal government defers to Ontario's authority on all matters related to the contamination (ECCC Ontario RDG approved line, attached MinO holding lines).
- Back in 2013, the Province of Ontario established the Grassy Narrows First Nation Mercury Working Group (FN Mercury WG) with to find longer-term, community-wide solutions to issues affecting the community from the legacy of mercury contamination. Part of the original Terms of Reference for the FN Mercury WG involved engaging the Government of Canada in the process. INAC has provided a representative to the WG and is serving as "a single door into the Government of Canada". Health Canada is also on the WG as many of the issues/proposals deal with human health. ECCC is not a member of the WG.

- The FN Mercury WG had signaled to INAC that they would like to request ECCC's formal participation on the WG. They also indicated that a formal request for participation on the WG would be sent from their lawyers to a number of Federal Ministers in spring 2016, including ECCC's. To our knowledge no such letter was received by MinO.
- In spring 2016, in the absence of a formal commitment from ECCC, the INAC representative on the WG (Toni Perdori) contacted ECCC Ontario region's SPB (Andrew Preston) who in turn contacted the FCSAP Secretariat to inquire whether FCSAP could informally provide expert support to the FN WG.
- Marc D'lorio's decision on the matter was that EPOD may be able to provide technical support to INAC related to ECCC's mandate but this request for support would have to originate from the ECCC RDG of Ontario.
- On April 15<sup>th</sup> 2016 there was a call between Marc D'lorio (ECCC EPOD DG) and Mike Goffin (ECCC Ontario RDG). The DG and RDG agreed that this it is not within ECCC's jurisdiction to participate in the review process of the remediation options report. A note to this effect was sent to Tony Purdori, that AANDC rep on the Mercury WG (attached). They also agreed that until a formal request for ECCC's participation on the FN Mercury WG was made, that INAC should remain the one window. ECCC's ON region RDG (SPB) would be the lead on any future ECCC involvement with this WG.
- In June 2016 EPB ADMO was asked by ECCC's Director of Policy and Indigenous Relations to confirm ECCC's responsibility with respect to GN FN. EPB ADMO Approved lines reiterating the conclusion of the DG and RDG meeting were shared and are attached.
- Also in June 2016, EPOD and SPB participated in the drafting of formal holding lines for MinO regarding the Mercury contamination in GN. These draft formal lines reiterate the aforementioned conclusions reached by the EPOD DG and Ontario RDG. Attached is EPOD's contribution, we do not have a copy of MinO final lines. Attached.
- On February 2<sup>nd</sup>, Susan Water, INAC's DG of Lands and Environment Management Branch contacted the ECCC FCSAP Secretariat inquiring whether any ECCC expert support could be provided to INAC for their work in the GN Mercury WG. She requested a conversation with Jeremy Anglesey from the Secretariat. The Secretariat recommends the EPOD DG lead that call.

### **Marie-Claude Fortin, PhD**

Conseillère scientifique principale/Direction générale de l'intendance environnementale  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[marie-claude.fortin2@canada.ca](mailto:marie-claude.fortin2@canada.ca) / Tél : 819-420-7644

Senior Science Advisor/ Environmental Stewardship Branch  
Environment and Climate Change Canada / Government of Canada  
[marie-claude.fortin2@canada.ca](mailto:marie-claude.fortin2@canada.ca) / Tél : 819-420-7644

**Fortin2, Marie-Claude (EC)**

---

**From:** Kitagawa, Kathy (EC)  
**Sent:** February 2, 2017 4:35 PM  
**To:** Hamzawi, Nancy (EC)  
**Cc:** Amyot, Kate (EC); Anglesey, Jeremy (EC); Fortin2, Marie-Claude (EC); McAllister, Nancy (EC); Li, Bernardo (EC)  
**Subject:** RE: Key Points and background on Grassy Narrows First Nation Mercury Working group and ECCC participation  
**Attachments:** RE: For your information - Grassy Narrows response

Hi Nancy,

As requested, below are some details for the call with Susan Waters (INAC South DG) at 11:30 am tomorrow as she was unavailable to speak this afternoon.

**Key Points:**

- Grassy Narrows First Nation (GN FN) has long standing concerns relating to mercury in the water ways near their community caused by a pulp mill that is now closed. Both the land and contamination are non-federal and hence fall under provincial jurisdiction.
- The Grassy Narrows Mercury Working group (comprised of INAC, HC, GN FN representatives, and the Province of Ontario, to name a few) is assessing and managing the contamination and has informally asked ECCC in the past to review reports produced by the WG. ECCC has not provided any input or comments to date.
- EPB ADMO confirmed last June that, if ECCC was to engage, that ON region RDG (SPB-Mike Goffin) would be the lead on any future ECCC involvement with this WG.
- On February 2<sup>nd</sup>, 2017, Susan Waters, INAC's DG of Lands and Environment Management Branch contacted the ECCC FCSAP Secretariat inquiring whether any ECCC expert support could be provided to INAC for their work in the GN Mercury WG.
- Draft MINO holding lines were prepared last June in consultation with SPB and are as follows:
  - o Health Canada (HC) and Indigenous and Northern Affairs Canada (INAC) are currently playing supporting roles in the talks between the Province of Ontario and Grassy Narrows First Nation (GN FN) aimed at finding solutions to the issues caused by mercury contamination in the English-Wabigoon River System.
  - o Ontario and GN FN initiated these talks in 2013 and HC and INAC began participating in them in 2015.
  - o Ontario's Ministry of Aboriginal Affairs (MAA) and Ministry of the Environment and Climate Change (MOECC) have taken the lead on the discussions related to the environmental remediation of the mercury contamination. Please contact MAA or MOECC for more information on what the Ontario government is doing to address mercury contamination in the English-Wabigoon River System.
  - o The contaminated area in question does not include any Federal lands nor did the federal government cause or accept responsibility for the contamination and so does not fall within the purview of the Federal Contaminated Sites Action Plan as it is solely under provincial jurisdiction. As such, the Federal government is deferring to Ontario's authority on all matters related to the contamination.
  - o Environment and Climate Change Canada (ECCC) fully understands the importance working to address the legacy of mercury contamination in the English-Wabigoon River System and is willing to provide technical support to INAC if a request is made.

**Background:**

- Grassy Narrows First Nation (GN FN), located on non-federal land in Northern Kenora in Ontario, has long standing concerns relating to Mercury in the water ways near their community and associated impacts on human health. In 2015 a state of emergency was declared for the GN FN over concerns with their drinking water.
- Some of the legacy mercury contamination at Grassy Narrows is the result of historical pollution from a chlor-alkali facility using mercury cells. The chlor-alkali facility was producing hydrochloric acid for use in an adjoining pulp mill. The mill has since been closed but there is work underway to assess potential current sources of contamination.
- The contaminated area in question does not include any Federal lands nor did the federal government cause the contamination and so does not fall within the purview of the Federal Contaminated Sites Action Plan, but rather is solely under Provincial jurisdiction. As such the Federal government defers to Ontario's authority on all matters related to the contamination.
- Back in 2013, the Province of Ontario established the Grassy Narrows First Nation Mercury Working Group (FN Mercury WG) to find longer-term, community-wide solutions to issues affecting the community from the legacy of mercury contamination. INAC is serving as "a single door into the Government of Canada". Health Canada is also on the WG as many of the issues/proposals deal with human health. ECCC is not a member of the WG.
- The FN Mercury WG had signaled to INAC that they would like to request ECCC's formal participation on the WG. They also indicated that a formal request for participation on the WG would be sent from their lawyers to a number of Federal Ministers in spring 2016, including ECCC's. To our knowledge no such letter was received by MINO.
- In spring 2016, in the absence of a formal commitment from ECCC, the INAC representative on the WG (Toni Perdori) contacted ECCC Ontario region's SPB (Andrew Preston) who in turn contacted the FCSAP Secretariat to inquire whether FCSAP could informally provide expert support to the FN WG.
- Marc D'lorio's decision on the matter was that EPOD may be able to provide technical support to INAC related to ECCC's mandate but this request for support would have to originate from the ECCC RDG of Ontario.
- On April 15<sup>th</sup> 2016 there was a call between Marc D'lorio (ECCC EPOD DG) and Mike Goffin (ECCC Ontario RDG). The DG and RDG agreed that this it is not within ECCC's jurisdiction to participate in the review process of the remediation options report. A note to this effect was sent to Tony Purdori, the AANDC rep on the Mercury WG. They also agreed that until a formal request for ECCC's participation on the FN Mercury WG was made, that INAC should remain the one window. ECCC's ON region RDG (SPB) would be the lead on any future ECCC involvement with this WG.
- In June 2016 EPB ADMO was asked by MINO to confirm ECCC's responsibility with respect to GN FN. Attached is the full request and EPB response.

Jeremy and I will join you for the 11:30 am call with Susan and unfortunately, Marie-Claude will not be in the office.

Let me know if you have any questions.

Thanks,

Kathy

**Fortin2, Marie-Claude (EC)**

---

**From:** Anglesey, Jeremy (EC)  
**Sent:** February 3, 2017 2:06 PM  
**To:** Kitagawa, Kathy (EC)  
**Cc:** Fortin2, Marie-Claude (EC)  
**Subject:** RE: GN Background Information for ECCC

I gave Andrew Preston (ON region) a de-brief of the call this morning. He said that Mike Goffin is out of office this week, returning next week. Andrew would give Sue Humphreys (acting) a head's up that Nancy H is planning to call.

Jeremy Anglesey

Gestionnaire de section, Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tél: 819-420-7651

Section Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tel : 819-420-7651

---

**From:** Kitagawa, Kathy (EC)  
**Sent:** February 3, 2017 1:49 PM  
**To:** Anglesey, Jeremy (EC)  
**Subject:** FW: GN Background Information for ECCC

I think Nancy wanted to have a chat with Mike Goffin next but did you think she wanted us to prepare something for that call?

---

**From:** Susan Waters [<mailto:Susan.Waters@aadnc-aandc.gc.ca>]  
**Sent:** February 3, 2017 1:38 PM  
**To:** Kitagawa, Kathy (EC); Hamzawi, Nancy (EC)  
**Cc:** Rogers, Hannah (AADNC/AANDC); Gareau, Michel (AADNC/AANDC); Tara Chisholm  
**Subject:** Fwd: GN Background Information for ECCC

Nancy/Kathy,

As discussed on our call.



Thanks  
Susan

**From:** Tara Chisholm  
**To:** Susan Waters  
**CC:** Hannah Rogers  
**Date:** 2/3/2017 12:35 PM  
**Subject:** GN Background Information for ECCC  
Susan,

Here is the information requested from ECCC (in addition to the summary document we provided to PCO):

- Link to the Toronto Star article (January 16, 2017):  
<https://www.thestar.com/news/canada/2017/01/16/grassy-narrows-first-nation-wants-to-test-mill-area-for-mercury-contamination.html>
- Statement provided from PMO to the Toronto Star:

"Every Canadian, every Indigenous person, should expect access to clean and reliable drinking water. This is a major priority for Ministers Philpott and Bennett, who will continue working closely with the Province of Ontario and the First Nations to get to the bottom of the science, and the next steps necessary to deal with this issue once and for all. We are all aware of the issue, and are doing our part to help remedy it.

The Minister of Indigenous and Northern Affairs will be attending a meeting with the province and Grassy Narrows Chief Simon Fobister, and Wabaseemoong Chief John Paishk, to discuss next steps in the process to effectively act on the mercury contamination. Last summer, the Ministers Ontario Regional Director visited the community with Ontario Ministers Zimmer and Murray.

In light of Star reporters and volunteers from Earthroots finding mercury-contaminated soil behind the mill, we reached out to the Province of Ontario to see how we can work more closely together to address these findings as we work together on the science and necessary next steps.

The issue of mercury contamination in the rivers system is incredibly important. The Government of Canada remains committed to providing ongoing support to First Nations communities in monitoring and preventing risks from environmental contamination.

Environment and Climate Change Canada is currently providing expert advice to Ontario in relation to contaminated sediment remediation, and continues to work closely with Ontario on environmental remediation needed on the mercury contamination.

Health Canada is responsible for, and is actively, monitoring water quality, the safety of the food supply and health risks to the community and continues to offer free mercury testing to all residents of Grassy Narrows and Wabaseemoong and to any applicant under the Mercury Disability Board, upon request. Health Canadas Environmental Health Officer conducts regular health visits in Grassy Narrows including ongoing surveillance of the communitys drinking water system. Health Canada also funds a health centre with a treatment component, home care, public health, and primary care services, as well as community programs.

Indigenous and Northern Affairs Canada is active on the Mercury Disability Board along with both Grassy Narrows and Wabaseemoong First Nations, medical doctors, and the Ontario Ministry of Indigenous Relations and Reconciliation and is facilitating First Nation access to expertise and information from other federal departments to help Grassy Narrows and Wabaseemoong deal with the ongoing issue of mercury contamination.

Furthermore, the Government of Canada has joined, and is working to ratify, the Minamata Convention the global treaty to protect human health and the environment from the adverse effects of mercury."

- Links to the 1986 Provincial and Federal Settlement Acts (provided in the summary document)

Please let me know if there is anything that I missed or that you'd like added.

Thanks,

Tara

**Fortin2, Marie-Claude (EC)**

---

**From:** Kitagawa, Kathy (EC)  
**Sent:** February 10, 2017 4:52 PM  
**To:** Hamzawi, Nancy (EC)  
**Cc:** Anglesey, Jeremy (EC); Amyot, Kate (EC); Fortin2, Marie-Claude (EC); McAllister, Nancy (EC); Li, Bernardo (EC)  
**Subject:** Grassy Narrows  
**Attachments:** NCR-#9483870-v1-LED\_LEMB\_ED\_GRASSY\_NARROWS\_2017\_2\_1\_2.docx

Hi Nancy,

Further to my bilat this morning, below is a proposed email you could send to Mike regarding Grassy Narrows.

May I also suggest that Jennifer and Alain be cc'd.

\*\*\*\*\*

Hi Mike,

Susan Waters (DG at INAC Lands and Environmental Management Branch) contacted me on Friday Feb. 3, 2017 about the mercury contamination affecting the Grassy Narrows/Wabaseemoong First Nations in Ontario. INAC is requesting that a technical expert from ECCC participate as a member of the Mercury Working Group, comprised of representatives from Ontario MOE, Grassy Narrows First Nation, INAC and Health Canada. The Working Group would review science and technical issues such as sampling design and remedial options.

Susan said that there has been significant recent attention on the file following the January 17, 2017 PM announcement to work with Ontario to address the contamination. In response, INAC prepared a fact sheet (attached-password to be provided in a separate email) for PCO consideration that proposes a whole-of-government approach and next steps, including ECCC involvement in the Working Group.

Susan mentioned that Roger Santiago, in the Great Lakes Areas of Concern group, had previously been identified as a potential ECCC representative for the Working Group. I committed that I would speak to you about INAC's request and that one of us would get back to her shortly. Given that INAC is aware of Roger's expertise, I would like to suggest that he support them on this file. Your views would be appreciated.

Let me know if you wish to discuss further, however, my Executive Assistant, has been having difficulty setting up a suitable time for the two of us hence I decided to send this email.

**Fortin2, Marie-Claude (EC)**

---

**From:** Anglesey, Jeremy (EC)  
**Sent:** February 10, 2017 4:38 PM  
**To:** Kitagawa, Kathy (EC)  
**Cc:** Fortin2, Marie-Claude (EC); Amyot, Kate (EC)  
**Subject:** RE: GN  
**Attachments:** NCR-#9483870-v1-LED\_LEMB\_ED\_GRASSY\_NARROWS\_2017\_2\_1\_2.docx

Kathy,

As requested, here's a note from Nancy to Mike Goffin, RDG Ontario.

Hi Mike,

Susan waters (DG at INAC Lands and Environmental Management Branch) contacted me on Friday Feb. 3, 2017 about the mercury contamination affecting the Grassy Narrows/Wabaseemoong First Nations in Ontario. INAC is requesting that a technical expert from ECCC participates as a member of the Mercury Working Group, comprised of representatives from Ontario MOE, Grassy Narrows First Nation, INAC and Health Canada. The Working Group would review science and technical issues such as sampling design and remedial options.

Susan said that there has been significant recent attention on the file following the January 17, 2017 PM announcement to work with Ontario to address the contamination. In response, INAC prepared a fact sheet (attached) for PCO consideration that proposes a whole-of-government approach and next steps, including ECCC involvement in the Working Group.

Susan mentioned that Roger Santiago in the Great Lakes Areas of Concern group had previously been identified as a potential ECCC representative for the Working Group. I committed that I would speak to you about INAC's request and that one of us would get back to her shortly.

I'd be happy to set-up a call to discuss further at your convenience.

Thanks,

Jeremy Anglesey

Gestionnaire de section, Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tél: 819-420-7651

Section Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tel : 819-420-7651

**From:** Kitagawa, Kathy (EC)  
**Sent:** February 10, 2017 11:36 AM  
**To:** Anglesey, Jeremy (EC)

**Cc:** Fortin2, Marie-Claude (EC); Amyot, Kate (EC)

**Subject:** GN

Jeremy,

No update on Grassy Narrows because Nancy has been unable to find a suitable time for her and Mike to connect.  
Can you please prepare an email that she can send to Mike to replace the conversation?

Please prepare before end of day today if possible.

Thanks,

Kathy Kitagawa, M.A.Sc., P.Eng.

Gestionnaire du programme, Sites contaminés, Direction des activités de protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[kathy.kitagawa@canada.ca](mailto:kathy.kitagawa@canada.ca) / Tél: 819-420-7645 / Tél. cell.: 613-290-8450

Program Manager, Contaminated Sites, Environmental Protection Operations Directorate  
Environment and Climate Change Canada / Government of Canada  
[kathy.kitagawa@canada.ca](mailto:kathy.kitagawa@canada.ca) / Tel : 819-420-7645 / Cell : 819-290-8450

## Grassy Narrows/Wabaseemoong First Nations and Mercury

### Issue:

On January 17, 2017, Prime Minister Justin Trudeau announced that the federal government will work with the Province of Ontario to 'remedy' the legacy mercury contamination that has impacted Grassy Narrows and Wabaseemoong First Nations. The legacy contamination of the English-Wabigoon river system has impacted the First Nations food chain, health, environment and economy and has been an ongoing issue in these communities since 1962.

### Demographics:

Grassy Narrows First Nation has a registered on-reserve population of 964 (2011 Census). The Wabaseemoong Independent Nations has an on-reserve population of 970 (2011 Census). Grassy Narrows and Wabaseemoong are both members of the Bimose Tribal Council. According to Health Canada, and their review of the health and mercury related data accumulated over the past 45 years, there are no data to confirm whether there is a greater rate of disability or significant health problems, in comparison to other First Nations, in either Grassy Narrows or Wabaseemoong First Nations at this time.

### Context:

In 1970, mercury contamination to the English-Wabigoon river system from two upstream Dryden, Ontario companies, Reed Incorporated and Great Lakes Forest Products, was discovered. The mercury contamination occurred from 1962-1969, with estimates of 10,000 kg of mercury directly released into the river system. Downstream, Grassy Narrows First Nation and Wabaseemoong Independent Nation were negatively affected by this contamination to their environment, experiencing health, ecosystem and economic decline. The 1986 federal *Grassy Narrows and Islington Indian Bands Mercury Pollution Claims Settlement Act* ([link](#)) and provincial *English and Wabigoon River Systems Mercury Contamination Settlement Agreement Act* ([link](#)), mandate compensation for impacted members of these First Nations as well as responsibilities of the other involved parties.

In addition to Canada's agreed upon commitments in these Acts, the federal government supports future collaborative efforts to remedy the issue.

The Government of Canada (INAC) and the Province of Ontario share the operating costs of the Mercury Disability Board (which encompasses both Nations), contributing \$72,500 each per year, while the Province is solely responsible for funding the account from which

members receive compensation. The Board has processed 1,064 initial applications for benefits since 1986 , providing more than \$20 million in compensation to date. As the Board's screening process is symptom-based, recipients do not have to prove they have been impacted by legacy mercury contamination.

Grassy Narrows First Nation has repeatedly requested support from the provincial and federal governments since the 1980s for: cleaning the river system; permanent research funding and monitoring; a health treatment centre; compensation for all community members; improved regulation of industrial pollutants; and the control of other mercury contaminating activities such as provincial forestry. Wabaseemoong Independent Nations has been less vocal with their requests but it is clear that they will expect the same attention and compensation as Grassy Narrows.

Health Canada and provincial sampling has never detected mercury in the community drinking water. Health Canada has also supported the province in optimizing and upgrading the public drinking water system to respond to non-mercury related water quality concerns.

On August 27, 2015 Grassy Narrows declared a state of emergency over fears of unsafe drinking water in their community after tests indicated the presence of trihalomethanes and disinfectant by-products. The emergency order has not been rescinded despite both the Ontario Ministry of Environment and Climate Change (MOECC) and Health Canada advising that the water is safe to consume as long as the boil water advisory is followed.

### **Key Developments:**

- **Existing Sources of Mercury Contamination:** In-depth knowledge of existing or continuing contamination of the 36 km long river is lacking. In 2016, Kas Glowacki, a former worker of the Dryden paper mill, indicated he had helped to bury more than 50 barrels of mercury in a pit near the mill in the early 1970s. The property is now owned by Domtar, and the Ontario Ministry of Environment and Climate Change had conducted geophysical work in the suspected area but did not locate the barrels.
- Earthroots, an environmental company, sampled another area on Domtar lands and reported elevated levels of mercury. The Ontario Ministry of Environment and Climate Change will review the new information and conduct further sampling.
- **Research:** Health Canada has supported research in the area, almost continuously since the 1970s. Since 2000, this includes funding extensive research, led by the First Nations, with more recent involvement in environmental studies. The results of these studies indicate that since the mid-1980's, the level of mercury in people have been below Health Canada acceptable levels. There are still elevated levels of

mercury in specific fish and wildlife species. INAC understands that community members are aware of the results of the First Nations led studies. Community members have been informed of the studies, but continue to hunt and fish in the English-Wabigoon river system.

- **Community Health Assessment:** The Province of Ontario and Health Canada, at the request of Grassy Narrows First Nation, are funding an intensive three year community health study, currently in year two. This study should help to reinforce previous Health Canada findings or identify any new issues of concern.
- **Mercury Working Group:** In 2013, Ontario's Minister of Aboriginal Affairs established the Grassy Narrows Mercury Working Group. Health Canada and INAC have representatives on the Working Group, along with the Province and Grassy Narrows band members (the Wabaseemoong First Nation is not a participant).
- In June of 2016, the provincial government announced funding of \$600,000 to continue Mercury Working Group initiatives and to build upon existing research in the English-Wabigoon River system. INAC Ontario Region visited Grassy Narrows in June 2016, along with Provincial Ministers David Zimmer and Glen Murray.
- **Mercury Disability Board:** The Mercury Disability Board completed a review in 2016, but the findings have yet to be discussed amongst the parties.
- **Remediation Options:** The cost of remediation is estimated at > \$300 M (based on historic Province of Ontario data), but further discussion, analysis and data collection is necessary to refine this estimate. A full-scale remediation may not be possible due to the potential of increased risk to the environment and human health. Alternatives to a full-scale clean up, such as source elimination and targeted remediation can be reviewed with technical experts and the First Nations. However, First Nations led investigations (funded by the University of North Carolina) indicates that remediation, to some extent, is possible.
- Remediation of the river is clearly the responsibility of the Province of Ontario, as they regulated the industries that polluted the river and then gave them broad indemnities while assuming liability.
-



**Next Steps:**

***Action items following the Meeting with both First Nations:***

Working Group from INAC, Health Canada, the Province of Ontario and the First Nations will review outcomes of the meeting and draft options for an Action Plan that could support a Ministerial level discussion. The draft Action Plan could lay out short and medium term objectives under each priority area for collaboration, and identify a few key actions that Ministers could commit to up front. A Project Charter that describes guiding principles and a process for refining and implementing the Action Plan could also be developed to support the Ministerial discussion.

***Meeting 2 - Ministers Meeting with First Nations – February/March 2017:***

Attendees: INAC Minister, Ontario Minister of Environment and Climate Change and Chiefs of the Grassy Narrows and Wabaseemoong First Nations

Objective: To discuss options and agree on the key elements and priorities of a joint Action Plan; commit to a process and resources required to move it forward, set a timeline for consideration and ratification; and identify early actions that can be taken immediately by parties.

A series of planning meetings at the officials level (with identified leads and partners) would then follow to develop detailed action plans for each priority or element of the Plan, with appropriate oversight by senior officials before bringing it back to Ministers and First Nations for endorsement in the Spring of 2017.

**Attached**

Annex A (Research and Health Studies)

Annex B (Additional Information on Environmental issues, Economic Development, Land Use Planning, Water and Wastewater Treatment and Other Community Infrastructure)

## **Annex A (Research and Health Studies):**

- Health Canada and Ontario have funded research and studies led by Grassy Narrows and have acted as technical support throughout these studies, which include:
  - **Testing of residents for mercury in hair and blood**, offered from 1970 to 2000, ended when the community stopped submitting samples. Health Canada continues to offer mercury testing to any individual from both communities who require mercury analysis. As of 1987, the annual hair and blood test results were consistently below the Health Canada safety guidelines for the general population.
  - **Mercury exposure and developmental research in children**. Original studies that analyzed cord blood samples from 172 individuals (babies), were completed from 1978-1992, with levels below Health Canada guidelines since 1984. A follow up study on 139 individuals was completed in 1995-1996, with subjects undergoing hair testing, neuropsychological and sensory-motor testing. The study confirmed that mercury levels had decreased in Grassy Narrows over the course of the study and that no children were at risk. The study was unable to confirm a relationship between child development and mercury exposure.
  - Health Canada funded Grassy Narrows to lead several research studies related to **mercury levels in the environment** with respect to traditional foods and the surrounding ecosystem. With respect to traditional food, studies from 2008-2009 indicated that mercury exceeded the Health Canada guidelines for fish flesh from predatory fish such as walleye and northern pike. In addition, fish eating mammals such as otter and mink had elevated mercury levels. These studies were led by hunters, fishers and trappers of Grassy Narrows and included women's, Elders' and Anishinabek knowledge holders perspectives on the impact of contamination on their communities. Injustice, health and environmental impacts, as well as the jeopardized state of their "fundamental ability to traditionally harvest in order to feed and support (their) families, as (they) have for millennia..." are the main concerns summarized in these studies. A separate 2012 University of Toronto study, using 200-2010 Province of Ontario data, found that mercury concentrations in sports fish (walleye, northern pike and lake whitefish) were elevated in the English-Wabigoon river system in comparison to other Northwestern Ontario water bodies.

## **Annex B (Additional Information on Environmental issues, Economic Development, Land Use Planning, Water and Wastewater Treatment and Other Community Infrastructure)**

**Waste Management:** Funding is available in 2017-18 through Budget 2016 investments to improve waste management on First Nation reserves. A needs assessment is being conducted for all First Nations in 2016-17 that will inform future waste management investments.

*Grassy Narrows :* The community was approached via their Tribal Council to support a municipal type services agreement to divert waste from the reserve and to close their landfill, but they were not able to make progress this year.

*Wabaseemoong Independent Nations:* The community and Health Canada have expressed concerns on the poor state of the community landfill.

**Contaminated Sites:** Funding is available through Phase III of the Federal Contaminated Sites Action Plan and Budget 2016 to accelerate remediation of contaminated sites.

*Grassy Narrows:* There are four contaminated sites identified in INAC's contaminated sites database. One is a third party site that is not the responsibility of the federal government. Two relate to fuel tank contamination and are considered class 3 (low risk). One is an active landfill. None are planned for assessment or remediation, although funding is available under the waste management initiative to close the active landfill should the community decide to enter into an agreement to divert their waste from the reserve.

*Wabaseemoong Independent Nations:* There are no contaminated sites identified in INAC's contaminated sites database.

### **Economic Development:**

*Grassy Narrows:* INAC provided \$55K to the First Nation in 2016-17 and 2015-16 to support community economic development.

*Wabaseemoong Independent Nations:* INAC provided \$72,300 in 2015-16 to support community economic development programs.

### **Land Use Planning:**

INAC has launched a Land Use Planning and Survey Initiative to support community land and environmental management, infrastructure investments and comprehensive community planning. Funding is available in 2017-18 to support land use planning and land survey activities in these communities.

## **Water and Wastewater Treatment Facilities**

*Grassy Narrows: Water Treatment Systems:* there are two communal wells (identified as high risk) and one community water treatment system (identified as medium risk). A do not consume order is in place for the communal wells and in 2016/17 INAC funded Grassy Narrows bottled water distribution (\$56,054.09) for community members affected by this order. Health Canada has stated that water from the community water treatment system is safe to drink, as long as the boil water advisory is followed. In 2016/17, INAC funded water treatment plant assessment and options (\$10,000).

The **wastewater treatment system** is identified as medium risk.

*Wabaseemoong Independent Nations:* The **water supply treatment system** is identified as medium risk.

The **wastewater treatment system** is identified as high risk.

## **Other Community Infrastructure**

*Grassy Narrows:* In 2016/17, INAC has funded construction of housing units (\$615, 960), and the servicing of 6 lots (\$125,000).

*Wabaseemoong Independent Nations:* received \$5,000 in 2016/17 to begin a school demolition and site restoration.

**Fortin2, Marie-Claude (EC)**

---

**From:** Anglesey, Jeremy (EC)  
**Sent:** February 13, 2017 9:49 AM  
**To:** Fortin2, Marie-Claude (EC)  
**Subject:** FW: Grassy Narrows

fyi

Jeremy Anglesey

Gestionnaire de section, Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tél: 819-420-7651

Section Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tel : 819-420-7651

**From:** Kitagawa, Kathy (EC)  
**Sent:** February 13, 2017 9:40 AM  
**To:** Anglesey, Jeremy (EC)  
**Subject:** FW: Grassy Narrows

FYI

**From:** Hamzawi, Nancy (EC)  
**Sent:** February 13, 2017 9:34 AM  
**To:** Goffin, Michael (EC)  
**Cc:** Kitagawa, Kathy (EC); McKay, Jennifer (EC); Gosselin, Alain (EC)  
**Subject:** RE: Grassy Narrows

Great, thanks Mike. Could we connect once you have closed the loop with INAC?

Thanks,  
N.

**From:** Goffin, Michael (EC)  
**Sent:** 2017 February 13 9:20 AM  
**To:** Hamzawi, Nancy (EC)  
**Cc:** Kitagawa, Kathy (EC); McKay, Jennifer (EC); Gosselin, Alain (EC)  
**Subject:** RE: Grassy Narrows

A couple of things on this.

- I have been keeping in touch with INAC as this issue has evolved over recent months, with a view to determining an appropriate role for ECCC, so the request from INAC isn't unexpected.
- Previously, at the request of Ontario MOE, we agreed to provide expert advice on review of sediment sampling and remediation options, and Roger Santiago from my Great Lakes team was identified as the point of contact, however, Ontario MOE attention shifted to determining whether there is a continuing land based source of contamination, and so our sediment expertise has not been required.

- I am supportive of having my staff participate on the Mercury Working Group if appropriate; but before making a commitment I think we should have a look at the terms of reference, and current membership – and confirm what role we would be playing.
- Also, I would want to confirm that if our role extends to advice on research or land based remediation that I would have the support of STB (contaminated sediment expertise) and ESB (contaminated site remediation expertise).
- And finally, given the importance and profile of this issue, I think we should ensure ADMs are comfortable with the path forward before we make further commitments.

I will contact INAC to obtain information on the Mercury Working Group, and also flag this issue to David Boerner.

**From:** Hamzawi, Nancy (EC)

**Sent:** February 12, 2017 10:40 PM

**To:** Goffin, Michael (EC)

**Cc:** Kitagawa, Kathy (EC); McKay, Jennifer (EC); Gosselin, Alain (EC)

**Subject:** Grassy Narrows

Hi Mike,

Susan Waters (DG at INAC Lands and Environmental Management Branch) contacted me about the mercury contamination affecting the Grassy Narrows/Wabaseemoong First Nations in Ontario. INAC is requesting that a technical expert from ECCC participate as a member of the Mercury Working Group, comprised of representatives from Ontario MOE, Grassy Narrows First Nation, INAC and Health Canada. The Working Group would review science and technical issues such as sampling design and remedial options.

Susan said that there has been significant recent attention on the file following the January 17, 2017 PM announcement to work with Ontario to address the contamination. In response, INAC prepared a fact sheet (attached-password to be provided in a separate email) for PCO consideration that proposes a whole-of-government approach and next steps, including ECCC involvement in the Working Group.

Susan mentioned that Roger Santiago, in the Great Lakes Areas of Concern group, had previously been identified as a potential ECCC representative for the Working Group. I committed that I would speak to you about INAC's request and that one of us would get back to her shortly. Given that INAC is aware of Roger's expertise, I would like to suggest that he support them on this file. Your views would be appreciated at your earliest convenience. Susan mentioned that their Associate DM is quite anxious to resolve this issue as soon as possible, in part, to have ECCC participate in the next meeting later this month.

Let me know if you wish to discuss further.

N.

**Fortin2, Marie-Claude (EC)**

---

**From:** Anglesey, Jeremy (EC)  
**Sent:** February 16, 2017 3:35 PM  
**To:** Fortin2, Marie-Claude (EC)  
**Cc:** Kitagawa, Kathy (EC)  
**Subject:** FW: Grassy Narrows

Fyi.

Jeremy Anglesey

Gestionnaire de section, Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tél: 819-420-7651

Section Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
[Jeremy.Anglesey@canada.ca](mailto:Jeremy.Anglesey@canada.ca) / Tel : 819-420-7651

---

**From:** Hamzawi, Nancy (EC)  
**Sent:** February 15, 2017 11:41 PM  
**To:** Kitagawa, Kathy (EC); Anglesey, Jeremy (EC)  
**Cc:** Li, Bernardo (EC)  
**Subject:** FW: Grassy Narrows

FYI

---

**From:** Goffin, Michael (EC)  
**Sent:** 2017 February 15 12:44 PM  
**To:** Hamzawi, Nancy (EC); Boerner, David (EC)  
**Subject:** FW: Grassy Narrows

Just to close the loop on this. I have left it with INAC that should Ontario raise ECCC participation on this issue, INAC will encourage Ontario to contact ECCC / me directly. INAC's point of contact with Ontario MOECC is the same ADM as I have been dealing with and with whom I have committed to provide expert advice from my sediment remediation group. I briefed EMC on this approach this morning and they seemed comfortable with it. I will keep you both posted if I hear more.

---

**From:** Susan Waters [<mailto:Susan.Waters@aadnc-aandc.gc.ca>]  
**Sent:** February 15, 2017 10:03 AM  
**To:** Goffin, Michael (EC)  
**Cc:** Scotton, Anne (AADNC/AANDC); Cameron, Cindy (AADNC/AANDC); Rogers, Hannah (AADNC/AANDC); Murphy, Sheilagh (AADNC/AANDC); Ladouceur3, Sylvie (AADNC/AANDC)  
**Subject:** Re: Grassy Narrows

We will do.  
Thanks

---

**From:** "Goffin, Michael (EC)" <[michael.goffin@canada.ca](mailto:michael.goffin@canada.ca)>



**To:** "Waters, Susan (AADNC/AANDC)" <[Susan.Waters@aadnc-aandc.gc.ca](mailto:Susan.Waters@aadnc-aandc.gc.ca)>  
**CC:** "Scotton, Anne (AADNC/AANDC)" <[Anne.Scotton@aadnc-aandc.gc.ca](mailto:Anne.Scotton@aadnc-aandc.gc.ca)>, "Cameron, Cindy (AADNC/AANDC)" <[Cindy.Cameron@aadnc-aandc.gc.ca](mailto:Cindy.Cameron@aadnc-aandc.gc.ca)>, "Rogers, Hannah (AADNC/AANDC)" <[hannah.rogers@aadnc-aandc.gc.ca](mailto:hannah.rogers@aadnc-aandc.gc.ca)>, "Murphy, Sheilagh (AADNC/AANDC)" <[Sheilagh.Murphy@aadnc-aandc.gc.ca](mailto:Sheilagh.Murphy@aadnc-aandc.gc.ca)>, "Ladouceur3, Sylvie (AADNC/AANDC)" <[Sylvie.Ladouceur@aadnc-aandc.gc.ca](mailto:Sylvie.Ladouceur@aadnc-aandc.gc.ca)>  
**Date:** 15/02/2017 8:25 AM  
**Subject:** Re: Grassy Narrows

Should Ontario MOECC raise with you again ECCC engagement, please feel free to direct them to me.

Sent from my BlackBerry 10 smartphone on the Rogers network.

**From:** Susan Waters  
**Sent:** Tuesday, February 14, 2017 5:40 PM  
**To:** Goffin, Michael (EC)  
**Cc:** Scotton, Anne (AADNC/AANDC); Cameron, Cindy (AADNC/AANDC); Rogers, Hannah (AADNC/AANDC); Murphy, Sheilagh (AADNC/AANDC); Ladouceur3, Sylvie (AADNC/AANDC)  
**Subject:** RE: Grassy Narrows

Thanks Mike- this is helpful.

**From:** "Goffin, Michael (EC)" <[michael.goffin@canada.ca](mailto:michael.goffin@canada.ca)>  
**To:** "Waters, Susan (AADNC/AANDC)" <[Susan.Waters@aadnc-aandc.gc.ca](mailto:Susan.Waters@aadnc-aandc.gc.ca)>  
**CC:** "Scotton, Anne (AADNC/AANDC)" <[Anne.Scotton@aadnc-aandc.gc.ca](mailto:Anne.Scotton@aadnc-aandc.gc.ca)>, "Cameron, Cindy (AADNC/AANDC)" <[Cindy.Cameron@aadnc-aandc.gc.ca](mailto:Cindy.Cameron@aadnc-aandc.gc.ca)>, "Rogers, Hannah (AADNC/AANDC)" <[hannah.rogers@aadnc-aandc.gc.ca](mailto:hannah.rogers@aadnc-aandc.gc.ca)>, "Murphy, Sheilagh (AADNC/AANDC)" <[Sheilagh.Murphy@aadnc-aandc.gc.ca](mailto:Sheilagh.Murphy@aadnc-aandc.gc.ca)>, "Ladouceur3, Sylvie (AADNC/AANDC)" <[Sylvie.Ladouceur@aadnc-aandc.gc.ca](mailto:Sylvie.Ladouceur@aadnc-aandc.gc.ca)>  
**Date:** 2/13/2017 4:35 PM  
**Subject:** RE: Grassy Narrows

For your records

**From:** Goffin, Michael (EC)  
**Sent:** September 21, 2016 3:50 PM  
**To:** [Paul.Nieweglowski@ontario.ca](mailto:Paul.Nieweglowski@ontario.ca)  
**Cc:** Santiago, Roger (EC); Fleming, Robert (MOECC)  
**Subject:** FW: FW: Wabigoon-English / Grassy Narrows. Ontario request for assistance.

Good afternoon Paul,

I am responding to your email requesting that I make the technical expertise of ECCC employee Roger Santiago available to assist in the study the Province is leading on the present-day state of mercury in the Wabigoon-English River system. As you know, Roger has significant experience in the area of contaminated sediment remediation, including playing an important continuing role in the clean-up of contaminated sediments at the Randle Reef site in Hamilton Harbour. Recognizing the importance of this issue, and in accordance with your request, I have instructed Roger to provide support to MOECC in relation to Wabigoon-English River investigations by:

1. commenting on the sampling plan (study design);
2. commenting on ANA's interpretation of the results of the sampling; and,
3. commenting on ANA's Final Report.

Roger can be contacted at [Roger.Santiago@canada.ca](mailto:Roger.Santiago@canada.ca).

Kind regards

Michael Goffin  
Regional Director General for Ontario  
Environment and Climate Change Canada

**From:** Nieweglowski, Paul (MOECC) [<mailto:Paul.Nieweglowski@ontario.ca>]  
**Sent:** 2016 September 09 4:16 PM  
**To:** Goffin, Michael (EC)  
**Cc:** Al-Zabet, Tareq (MOECC); Gluck, Michael (MOECC); Hart, Tracy (MOECC); McKague, Kathy (MOECC); Miklas, Frank (MOECC)  
**Subject:** Grassy Narrows (ANA) Indigenous Community-Mercury

Michael,

I am the Assistant Deputy Minister, Operations Division, Ministry of the Environment and Climate Change and am coordinating MOECC's involvement with mercury sampling in the Wabigoon-English River system and area. I would like to formally request whether one of your staff (Roger Santiago) could be available to participate along with some MOECC scientists and external experts (Brian Branfreuen, UWO and David Leeder, Hutchinson Environmental) to provide expert input to a study on the present-day state of mercury in the Wabigoon-English River system.

Rogers's role along with the other scientists would be to provide input into three major milestones associated with the project:

- Comment on the sampling plan (study design) – late fall 2016 or early winter 2017
- Comment on ANA's interpretation of the results of the sampling – fall 2017
- Comment on ANA's Final Report – January 2018

There will be a meeting at each of these milestones to discuss and provide scientific input to ANA – teleconferences will be proposed. Please let me know if this is at all possible so that we can prepare to include him in future meetings.

Regards,

Paul Nieweglowski  
Assistant Deputy Minister  
Operations Division  
Ministry of the Environment and Climate Change  
416-314-6366

---

**From:** Susan Waters [<mailto:Susan.Waters@aadnc-aandc.gc.ca>]  
**Sent:** February 13, 2017 3:19 PM  
**To:** Goffin, Michael (EC)  
**Cc:** Scotton, Anne (AADNC/AANDC); Cameron, Cindy (AADNC/AANDC); Rogers, Hannah (AADNC/AANDC); Murphy, Sheilagh (AADNC/AANDC); Ladouceur3, Sylvie (AADNC/AANDC)  
**Subject:** Re: Grassy Narrows

Hi Mike,

The request for participation on the working group came from Paul Nieweglowski, who is the Assistant Deputy Minister, Operations Division of MOECC. I participated in a call with him and Sheilagh Murphy, my ADM, on January 27.

He said the province would welcome assistance from an expert with regards to areas that need to be remediated and what forms of remediation are possible. I said I would follow up with ECCC. Although I did see an email exchange between you and INAC's Regional Office in an ATIP request that we were consulted on, I wasn't aware that your office had committed to provide technical expertise.

With regards to further involvement, and the role and composition of the Working Group, additional information is best delivered from the province.

We agreed to a follow-up call with the province. You can either contact Paul directly for the information, or I can include you in a follow-up call that we can schedule this week, preferably when Sheilagh is back in the office on Thursday or Friday.

Please let me know your preference.

Regards,

Susan

*Susan Waters  
Director General/ Directeur général  
Lands and Environment Management Branch/ Direction générale de la gestion des terres et de l'environnement  
Indigenous and Northern Affairs Canada/ Affaires Autochtones et du Nord Canada  
17B, 10 Wellington Street  
Gatineau, Quebec  
K1A 0H4  
ph: 819-997-8883  
fax: 819-953-3201  
[susan.waters@canada.ca](mailto:susan.waters@canada.ca)*

**From:** "Goffin, Michael (EC)" <[michael.goffin@canada.ca](mailto:michael.goffin@canada.ca)>  
**To:** "Waters, Susan (AADNC/AANDC)" <[Susan.Waters@aadnc-aandc.gc.ca](mailto:Susan.Waters@aadnc-aandc.gc.ca)>  
**CC:** "Scotton, Anne (AADNC/AANDC)" <[Anne.Scotton@aadnc-aandc.gc.ca](mailto:Anne.Scotton@aadnc-aandc.gc.ca)>  
**Date:** 2/13/2017 1:36 PM  
**Subject:** Grassy Narrows

Susan, I understand you have been discussing ECCC participation on this file with my colleague Nancy Hamzawi.

As you are aware, in response to a request from Ontario, my office has previously committed to provide technical expertise related to the investigation and remediation of aquatic sediments.

Before agreeing to further involvement, it would be helpful for me to better understand the role and

composition of the Mercury Working Group. Would it be possible for you to provide terms of reference and membership list for this body?

Michael Goffin  
Regional Director General for Ontario  
Environment and Climate Change Canada

**Fortin2, Marie-Claude (EC)**

---

**From:** Anglesey, Jeremy (EC)  
**Sent:** February 24, 2017 8:06 AM  
**To:** Gosselin, Alain (EC); St-Laurent, Donald (EC)  
**Cc:** Amyot, Kate (EC); Fortin2, Marie-Claude (EC); Kitagawa, Kathy (EC)  
**Subject:** Fw: FYI: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.  
**Attachments:** WATER CANADA - Grassy Narrows.docx

Bonjour Alain,

Please see below the need to identify any EPB experts to potentially assist with the Grassy Narrows mercury contamination project.

Roger Santiago in GLAP Ontario region has already been identified as a sediment expert.

The scope of the next phase of work that Ontario and Grassy Narrows FN will be conducting is not yet known, however, it will likely involve further investigation/ sampling and remediation options analysis.

It might be worthwhile thinking about what expertise we could provide to assist and mention this to Nancy (so she can tell Mike Goffin, ON RDG).

I'm acting for Kathy until next Friday. Let me know if you want to discuss further.

Jeremy

Sent from my BlackBerry 10 smartphone on the Rogers network.

**From:** Hamzawi, Nancy (EC) <nancy.hamzawi@canada.ca>

**Sent:** Thursday, February 23, 2017 5:27 PM

**To:** Beale, Mike (EC)

**Cc:** Anglesey, Jeremy (EC); Kitagawa, Kathy (EC)

**Subject:** FYI: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

Hi Mike,

Following the EMC roundtable update by Mike G. at last week's EMC, Dan and the DM discussed the path forward on Grassy Narrows. The DM asked that Mike G. reach out to the Ontario MOECC to explore further support from ECCC.

I will follow-up with Mike re any contaminated sites support that we could provide.

N.

---

**From:** Goffin, Michael (EC)

**Sent:** 2017 February 23 4:51 PM

**To:** Hamzawi, Nancy (EC); Boerner, David (EC)

**Cc:** Mitchell, Tricia (EC)

**Subject:** FW: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

Contrary to my previous email on this subject...

I mentioned during last week's EMC Round Table that Ontario had announced a commitment to proceeding with remediation in the English-Wabigoon system,

That resulted in a discussion between Dan and the DM and a request that I reach out to Ontario MOECC to broach the subject of further support. David, Dan indicated to me that he has spoken to George on this (George may actually have been part of the discussion with the DM) and George was in agreement with the approach. Nancy I do not believe Mike Beale has been engaged.

Below is my report back to Dan on my discussion with Ontario MOECC.

If you are agreeable, I would like to put together a meeting of the three of us to discuss what expertise we might have in the Department which could potentially assist Ontario in relation to this issue.

**From:** McDougall, Dan (EC)

**Sent:** February 23, 2017 3:39 PM

**To:** Goffin, Michael (EC)

**Cc:** Mitchell, Tricia (EC); Costain, Kimble (EC); Finney, Dara (EC)

**Subject:** RE: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

s.21(1)(a)

Thanks Mike. Indeed, please reach out to STB and EPB.

**From:** Goffin, Michael (EC)

**Sent:** 2017 February 23 3:28 PM

**To:** McDougall, Dan (EC)

**Cc:** Mitchell, Tricia (EC); Costain, Kimble (EC); Finney, Dara (EC)

**Subject:** Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

As agreed, I spoke to Ontario MOECC ADM Operations Paul Nieweglowski today about the English-Wabigoon/Grassy Narrows mercury contamination issue.

Paul and I had previously discussed the issue in September of last year, at which time I agreed to provide contaminated sediment remediation expertise from my team to review sampling designs and remediation options –

In the interim, I committed to discuss internally what expertise ECCC has to offer.

Earlier this month, Premiere Winn committed to proceeding with remediation. Dr. Rudd, chief advisor to the Grassy Narrows First Nation has previously identified priorities for remediation (see attached article from Water Canada) and it is likely that there will be an effort to move forward on some aspects of remediation. Paul also indicated that at the same time, additional hydrologic investigations are needed of the former pulp and paper site to rule out the possibility of a continuing land based source, and further monitoring and research is needed to understand the sources and distribution of mercury in the river, and assess practical remediation strategies.

If you concur, I will consult colleagues in STB and ESB and identify expertise that the Department could potentially make available to support Ontario on this issue

**Fortin2, Marie-Claude (EC)**

---

**From:** Hamzawi, Nancy (EC)  
**Sent:** February 24, 2017 12:16 PM  
**To:** Anglesey, Jeremy (EC)  
**Cc:** St-Laurent, Donald (EC); Gosselin, Alain (EC); Michajluk, Shawn (EC); Gosselin, Alain (EC); Li, Bernardo (EC); Kitagawa, Kathy (EC); Fortin2, Marie-Claude (EC)  
**Subject:** RE: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

Hi Jeremy,

Completely agree that Roger should act as the single window. If there are areas where we have expertise then I can suggest to Mike G. – though please flag any capacity (ie time) constraints.

Thanks,

N.

**From:** Anglesey, Jeremy (EC)  
**Sent:** 2017 February 24 11:45 AM  
**To:** Hamzawi, Nancy (EC)  
**Cc:** St-Laurent, Donald (EC); Gosselin, Alain (EC); Michajluk, Shawn (EC); Gosselin, Alain (EC); Li, Bernardo (EC); Kitagawa, Kathy (EC); Fortin2, Marie-Claude (EC)  
**Subject:** RE: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

Hi Nancy,

Quick update for you. I just spoke to EPOD folks in QC (Donald St. Laurent) and ON (Shawn Michajluk and Maria Petrou) about potential EPOD support for Grassy Narrows. In your email to Mike Beale you mentioned you'll get back to Mike G. about this.

As a first step, Shawn will speak to Jennifer McKay to get her views about EPOD ON staff involvement. We think that EPOD could provide technical advice related to the terrestrial mercury contamination investigations that may be planned. We would be able to consider this role in more detail once the spring and summer 2017 work plans are available (Mike G. mentions that MOECC expects to receive these from Grassy Narrows FN in March). We also thought that a 'one-window' approach to ECCC technical advice might make sense where Roger Santiago (sediment expert) is the main ECCC rep.

Let me know if you would like to discuss further.

Thanks

Jeremy Anglesey

Gestionnaire de section, Direction générale de la protection de l'environnement  
Environnement et Changement climatique Canada / Gouvernement du Canada



s.21(1)(a)

Jeremy.Anglesey@canada.ca / Tél: 819-420-7651

Section Manager, Environmental Protection Branch  
Environment and Climate Change Canada / Government of Canada  
Jeremy.Anglesey@canada.ca / Tel : 819-420-7651

**From:** Hamzawi, Nancy (EC)  
**Sent:** February 23, 2017 5:27 PM  
**To:** Beale, Mike (EC)  
**Cc:** Anglesey, Jeremy (EC); Kitagawa, Kathy (EC)  
**Subject:** FYI: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

Hi Mike,

Following the EMC roundtable update by Mike G. at last week's EMC, Dan and the DM discussed the path forward on Grassy Narrows. The DM asked that Mike G. reach out to the Ontario MOECC to explore further support from ECCC.

I will follow-up with Mike re any contaminated sites support that we could provide.

N.

---

**From:** Goffin, Michael (EC) duplicate email  
**Sent:** 2017 February 23 4:51 PM  
**To:** Hamzawi, Nancy (EC); Boerner, David (EC)  
**Cc:** Mitchell, Tricia (EC)  
**Subject:** FW: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

Contrary to my previous email on this subject...

I mentioned during last week's EMC Round Table that Ontario had announced a commitment to proceeding with remediation in the English-Wabigoon system,

That resulted in a discussion between Dan and the DM and a request that I reach out to Ontario MOECC to broach the subject of further support. David, Dan indicated to me that he has spoken to George on this (George may actually have been part of the discussion with the DM) and George was in agreement with the approach. Nancy I do not believe Mike Beale has been engaged.

Below is my report back to Dan on my discussion with Ontario MOECC.

If you are agreeable, I would like to put together a meeting of the three of us to discuss what expertise we might have in the Department which could potentially assist Ontario in relation to this issue.

**From:** McDougall, Dan (EC)  
**Sent:** February 23, 2017 3:39 PM  
**To:** Goffin, Michael (EC)  
**Cc:** Mitchell, Tricia (EC); Costain, Kimble (EC); Finney, Dara (EC)  
**Subject:** RE: Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

Thanks Mike. Indeed, please reach out to STB and EPB.

---

**From:** Goffin, Michael (EC)  
**Sent:** 2017 February 23 3:28 PM  
**To:** McDougall, Dan (EC)  
**Cc:** Mitchell, Tricia (EC); Costain, Kimble (EC); Finney, Dara (EC)  
**Subject:** Potential ECCC support to Ontario in addressing mercury contamination in the English-Wabigoon River system.

As agreed, I spoke to Ontario MOECC ADM Operations Paul Nieweglowski today about the English-Wabigoon/Grassy Narrows mercury contamination issue.

Paul and I had previously discussed the issue in September of last year, at which time I agreed to provide contaminated sediment remediation expertise from my team to review sampling designs and remediation options – I

In the interim, I committed to discuss internally what expertise ECCC has to offer.

Earlier this month, Premiere Winn committed to proceeding with remediation. Dr. Rudd, chief advisor to the Grassy Narrows First Nation has previously identified priorities for remediation (see attached article from Water Canada) and it is likely that there will be an effort to move forward on some aspects of remediation. Paul also indicated that at the same time, additional hydrologic investigations are needed of the former pulp and paper site to rule out the possibility of a continuing land based source, and further monitoring and research is needed to understand the sources and distribution of mercury in the river, and assess practical remediation strategies.

If you concur, I will consult colleagues in STB and ESB and identify expertise that the Department could potentially make available to support Ontario on this issue